

SUFFOLK COUNTY LEGISLATURE

GENERAL MEETING

NINTH DAY

JUNE 7, 2005

**MEETING HELD AT THE WILLIAM H. ROGERS LEGISLATURE
BUILDING IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM
725 VETERANS MEMORIAL HIGHWAY, HAUPPAUGE, NEW YORK**

MINUTES TAKEN BY

LUCIA BRAATEN AND DONNA CATALANO, COURT STENOGRAPHERS

[THE MEETING WAS CALLED TO ORDER AT 9:30 A.M.]

P.O. CARACAPPA:

Roll call.

MR. BARTON:

Good morning Mr. Chairman.

P.O. CARACAPPA:

Good morning.

(Roll Called by Mr. Barton, Clerk)

LEG. CARACCIOLO:

Here.

LEG. SCHNEIDERMAN:

(Not Present)

LEG. O'LEARY:

Here.

LEG. VILORIA • FISHER:

(Not Present)

LEG. LOSQUADRO:

(Not Present)

LEG. FOLEY:

(Not Present)

LEG. LINDSAY:

Here.

LEG. MONTANO:

Here.

LEG. ALDEN:

Here.

LEG. KENNEDY:

(Not Present)

LEG. NOWICK:

Here.

LEG. BISHOP:

(Not Present)

LEG. MYSTAL:

Here.

LEG. BINDER:

(Not Present)

LEG. TONNA:

Here.

LEG. COOPER:

Here.

D.P.O. CARPENTER:

Present.

P.O. CARACAPPA:

Here.

MR. BARTON:

11. (Not Present at Roll Call: Legs. Schneiderman, Viloria•Fisher, Losquadro, Foley, Kennedy, Bishop and Binder)

P.O. CARACAPPA:

Thank you. We have a quorum. Would everyone please rise for a salute to the flag, led by Legislator O'Leary.

[SALUTATION]

Please remain standing. Before I go to recognize Legislator Mystal, I'd like the record to reflect that some Legislators are not present for roll call, because they're outside giving blood in the Blood Mobile. So, with that, I recognize Legislator Elie Mystal for the purposes of introducing today's clergy. Legislator Mystal.

LEG. MYSTAL:

Good morning. It is my great pleasure and my good privilege to introduce from my •• the

Pastor from my area, Pastor Michael Talbot, in the good tradition of the African•American Church. A church in our community is not just a church, it's a social activist church, and Reverend Talbot represents the best of the social activism that happens in our community that range from preaching to the congregation, but also helping the congregation.

Just a brief background on him. Reverend Talbot is married and has three kids, twins and a son. But he's been more than just a married man, of course, I'm glad he is, but he's been part of the community for a long time. He's a Minister of the First Church of Wyandanch Ministry. He's been the Urban League and an NAACP member, a consultant to President Clinton on crime, a parenting program on youth and outreach ministry. He's a partner in the first •• to first grade through third grade with kids having difficulties reading and in math. He's a past vice president and a current member of the Wyandanch Christian Clergy Association. He's also a past president of the school board in Wyandanch, and is now a trustee in the school board. He's a community liaison for the Suffolk County Police and local government. He's ministered to the seniors of the Wyandanch Nutritional Center. He's the founder and Director of Wyandanch Community Builders, and Faith Community Developers, whose goal is to build affordable housing, and he has done that already in the past. He established the first Home Buyers Club, where he teaches people how to become •• to go from renters into ownership. He puts them through a program and the program teaches them how to become owners of their own houses.

He's my friend. We've been in •• we fight sometimes over the issues, but a lot of times we agree to disagree sometimes, but he's been my good friend, and I would like to present to you Reverend Talbot.

(Applause)

REVEREND TALBOT:

Thank you, Legislature, and thank you, Elie, and to all of you. If you would bow your heads with me.

Holy God and our Father, we come this morning, first of all, to say thank you. It is by your will and your might that we are gathered. We would ask on this day that your presence be seen, felt, and heard. Empower Legislators to do what is right in our midst. Teach us to hear, teach us to listen. Teach us to be moved with the compassion to heal our brother, to heal our

neighbor. Help us today now, oh, God, to do that which is right before you and before these people. This I pray in Jesus' name. Amen.

P.O. CARACAPPA:

Thank you very much. Thank you for coming out. Before we sit down, I'll ask everyone, though Memorial Day has come and gone, that we keep in our mind, our hearts, our prayers servicemen and women who have given their lives, most recently in Afghanistan and Iraq, and through all the wars and conflicts in United States history.

(Moment of Silence)

Thank you. I recognize Legislator Nowick for •• actually, Legislator Nowick, do you •• are you ready to do your presentation?

LEG. NOWICK:

Yes.

P.O. CARACAPPA:

With the video?

LEG. NOWICK:

Everybody ready?

MR. HOGAN:

You want to do the video first, Joe?

P.O. CARACAPPA:

Well, I don't see a T.V.

MS. BURKHARDT:

It's right on the screen.

P.O. CARACAPPA:

Oh, it's on •• there it is. Yes, Legislator Nowick's going to show a quick four•minute film as it relates to your proclamation, so ••

LEG. NOWICK:

Good morning. But, first, so you know what we're talking about, I'd like to bring up the students from Kings Park High School. Students from Kings Park High School, are you here? And their Advisor, _Gail Martino_.

What you're going to be treated to today is a video made by the Student Against Drunk Drivers from Kings Park High School. Just take a minute and watch it. It's really not that long, but it is incredibly good. Come on up here.

[VIDEO PRESENTATION WAS SHOWN TO LEGISLATORS]

[Applause]

LEG. NOWICK:

Students from Kings Park High School, Students Against Drunk Driving, with _Gail Martino_ as their Advisor, decided to create an original video on date abuse and entered a contest. These students won this competition and were honored in Albany at a dinner in their honor. The subject matter, as you see, date abuse, was so well put together and musically scored, so impressed the State Office of Domestic Violence Prevention that they have had thousands of copies made and distributed to schools throughout the state. I mean, I think this is wonderful. These kids did this and it sends a message, and it's going to send a message for other kids.

So, the students are Lisa _Cullington), Lauren _Birkenhead_, Kim Haggerty, Amy Richards, Karen Fitzpatrick, Steve Smith, and Chris _LaGalbo_. And the Director, Gail Martino, their Advisor, is here also. I will congratulate all of you for a job well done. Thank you for being here.

(Applause)

Don't kick "The Abuser" on your way out.

P.O. CARACAPPA:

Thank you, Legislator Nowick. And I'll recognize Legislator Caracciolo, Binder, Kennedy, and also Legislator Nowick, who I'm sure will come back in, or if you want to stick around and do

this real quick, for another proclamation honoring Student Film Festival winners. Legislators Nowick, Binder, Kennedy and Caracciolo.

LEG. CARACCIOLO:

Mr. Chairman.

P.O. CARACAPPA:

Yeah.

LEG. CARACCCIOLO:

Are the students here, are they present?

P.O. CARACAPPA:

I'd ask you that question, because ••

LEG. NOWICK:

Yes.

LEG. CARACCIOLO:

Okay. We've been looking in the audience for our student.

LEG. NOWICK:

Yes. The student they spoke to earlier, would you like to come up?

LEG. CARACCIOLO:

Kelly, are you here? Okay.

LEG. NOWICK:

Are you coming up, Mike?

LEG. CARACCIOLO:

Yeah.

LEG. NOWICK:

Throughout the years, Suffolk County Legislators honor various individuals for outstanding

achievements in many fields. Film is an expressive medium which allows a story to be told from a distant •• distinct point of view of its creators. And the Strictly Students Film Festival is Long Island's first juried film festival exclusively for high schools, high school students. The Strictly Students Film Festival presents an opportunity for aspiring writers, directors, editors and actors to hone their craft. A panel of judges has screened each submission by these young people and other young people, and has selected an outstanding film in the category of Best Feature. Now, we're all up here, because these students are from different districts, so your Legislators will be presenting the awards. And, I guess, Legislator Kennedy, your student is here.

LEG. KENNEDY:

I'd just like to go ahead and share with my colleagues how truly pleased I am to be able to recognize the efforts that these students have made. Certainly, it's a testament that we have young people who can go ahead and bring forth such a creative type of film and get such recognition. So, I'd like to go ahead and take this opportunity to congratulate James Buckman, who is a junior at Smithtown High School. James, here you go. Congratulations, good job, excellent work, well done.

(Applause)

LEG. BINDER:

Ditto. I won't be long. Obviously, this is a great achievement, to do things that most of us can't do is to create something out of nothing. And from Half Hollow Hills West, we have _Nicks Candreve_ , who did best animation, he was awarded for that. Congratulations.

(Applause)

LEG. CARACCILO:

Good morning. And representing Mattituck High School from the East End we have _Kelly Kohler_ . And Kelly is a senior at the Mattituck High School, involved in their student film productions, as well as classes. It should be noted that the Mattituck High School has its own, as I understand it, daily television show. I didn't know that. Okay.

Kelly it's a pleasure, on behalf of all the residents of the First Legislative District and the 1.4

million residents of Suffolk County, to recognize you and your achievements, as well as those of your young colleagues here. Our future is certainly bright with creative minds and individuals like yourself. And I should also note that you were the grand prize winner for your live production, which was recently accepted. And you were recently accepted into in NYU's film program. Congratulations.

(Applause)

LEG. NOWICK:

We're very lucky today. We have a visitor from Syosett High School that has also been a part of this, Josh _Kahn_. Josh, from Syosett High School, Josh was the best documentary co •winner for his film "Ellis Island, The Nightmare and the Dream", and was recently accepted into the NYU film program. Congratulations. Congratulations, Josh.

(Applause)

And who do we have over here? We have everybody? Thank you.

P.O. CARACAPPA:

Congratulations to you all.

(Applause)

P.O. CARACAPPA:

I now recognize Legislator Carpenter, Deputy Presiding Officer, for the purposes of a proclamation.

D.P.O. CARPENTER:

Good morning. I had asked Legislator Alden to join me, because he shares representing the Bay Shore community with me. And today we are really privileged to be honoring another group of very talented high school students. It seems to be the morning for recognizing the incredible talented youth we have here in Suffolk County. And this morning I'd like to bring up the Bay Shore Marauders Girls Varsity Soccer Team, who this past weekend won the New York State Class AA Championship. Girls, coach, please come forward.

This team has a long, proud history of being successful under the direction and tutelage of Coach Jim McGowan. In fact, did you not hit a milestone this season?

MR. MC GOWAN:

Five hundred.

D.P.O. CARPENTER:

Five hundred wins. Is that incredible?

(Applause)

And these girls have really •• they really are stars in many, many respects, not just on the softball field, but also academically. And I'm going to ask the coach to say a few words. But I don't know if anyone caught it, there was a little article in the paper the other day that was kind of like the rest of the story, and they went there to the State Championships. You could imagine how excited everybody was, and, all of a sudden, and I'm not sure exactly how it happened, but it seemed that there was a crack in the catchers mask and they almost were going to have to forfeit, and were able to get a very gracious team to lend them a mask, and the rest is history. But, Coach, please come up and say a few words.

MR. MC GOWAN:

First of all, it was the Softball Team, not the Soccer Team.

D.P.O. CARPENTER:

Did I say soccer?

MR. MC GOWAN:

She said soccer.

D.P.O. CARPENTER:

Oh, I'm sorry.

MR. MC GOWAN:

That's okay. Angie's been great throughout the years. This has been our sixth State

Championship and we really did it in unusual fashion. If you know anything about fast pitch softball, it's a really pitcher dominated game, and our All•State pitcher tore her Labrum and did not pitch the entire year. We pulled a kid up from JV, who didn't have any varsity experience, and she pitched six shutouts in the playoffs, including two shutouts in the State Championships.

In terms of the cracked helmet, I don't think anybody wanted us to win Upstate, other than the kids from Bay Shore and the fans, and it was kind of discouraging. But we just went up there and did what we had to do, and it was really just a wonderful, wonderful year. We were picked third in our league behind the defending Long Island champs, West Islip and East Islip, and we won 22 games in a row to clinch the league, County, Long Island, and the State.

And they really are just wonderful kids, and they're champions, not only on the playing field, but in the classroom and also the school community. They're very, very involved in helping out their peers and other people. They just do wonderful things, and wonderful support also from the staff and the families.

And these are my Tri•Captains. They've been with me since 9th Grade, in Marybeth Puccio's case since 8th grade. And to my far left is Ashley _Gosh_ , she's a four•year player, and she was All•County in 10th grade and she tore her ACL. That was a season•ending injury, did not play at all, came back her senior year, and had an outstanding •• outstanding year. She'll continue her career at C.W. Post College. She was also National Fast Pitch Coach's Association Academic All•American.

Next to her is Marybeth Puccio, who's played with me for five years. She was Gatorade New York State Player of the Year. She was three time All Long Island. She was also featured today in the paper, Newsday. She is our Scholar Athlete, ranked number nine in our class. She's going to Fordham University on a softball scholarship, and one of the most prolific power hitters in Long Island history.

And last is Jenny McNulty. She's a four•year player. She was also named All Long Island. She was also our Team MVP. She'll be nominated, along with Marybeth, as Regional All•American. She's also National Fast Pitch Coach's Association Academic All•American, and she was our catcher. She's built like a catcher, right? You know, the thing on her is we say she looks like a model and plays like a linebacker. She's got great intensity and, with her young pitching staff, really did a wonderful job.

I'm just so very proud of these kids to be associated with, and, I mean, it was just magical, magical year. And I appreciate the support from everybody here, and especially Angie, who's been wonderful throughout the years. Thank you very much.

(Applause)

D.P.O. CARPENTER:

Thank you very much, Coach. And before I turn the microphone over to Legislator Alden, I would like to acknowledge two very proud poppas over there, Jerry Puccio and J.D. McNulty, who in their own right have a long, proud history in the Bay Shore community. They have been involved in Bay Shore Little League, softball, baseball, T•ball. For many, many years, Jerry was the president and just retired a couple of years ago as president, but have really given back and have been an outstanding example of what community is all about, and, certainly, Bay Shore does it well, and you gentlemen do it well. Thank you so much. Legislator Alden.

(Applause)

LEG. ALDEN:

Just very quickly. I know it doesn't look like it, but at one time I was an athlete also, so I realize the dedication and the hard work that you really had to put into that, and congratulations. Congratulations to your family, too. God bless you.

(Applause)

P.O. CARACAPPA:

Congratulations, Coach, girls, job well done. I recognize Legislator Viloría•Fisher for the purposes of a proclamation.

LEG. VILORIA•FISHER:

Elizabeth, come join me here. We're here to honor Elizabeth Zamarelli. She was the first runner•up •• by the way, notice we go from high school seniors to Miss Senior America here.

MS. ZAMARELLI:

The other age.

LEG. VILORIA • FISHER:

She was the first runner•up from New York State in the Ms. Senior America Pageant, which emphasizes and honors women who have reached the age of elegance.

D.P.O. CARPENTER:

Yes, here•here.

LEG. VILORIA • FISHER:

The Ms. Senior America Pageant is a search for the gracious lady who best exemplifies the dignity, maturity, and inner beauty of all senior Americans, in the belief that seniors are the foundation of America, our most valuable treasure, upon whose knowledge, experience and resources the younger generation will have an opportunity to build a better society.

Elizabeth Zamarelli certainly personifies that woman of elegance who displays poise and grace, not only in her style, but in her life•style, and whose charm, personality and conversational ability demonstrate that true beauty is a matter of insight, as well as eyesight.

Elizabeth Zamarelli has epitomized the ever evolving woman, always growing and sharing her gifts as a mother of four, as a college student, earning a Masters Degree in both elementary education and special education, as an educator, receiving certification in reading and in educational administration, and ultimately a doctoral degree in special education, and she is currently a literacy specialist in the West Islip School District.

Her performance at the pageant was The Impossible Dream from the Man of LaMancha, and that someone whose favorite play is Man of LaMancha.

MS. ZAMARELLI:

I know.

LEG. VILORIA • FISHER:

And Don Quixote, one of my favorite literally characters. You reached a dream that wasn't impossible for you. We're very proud of you here in Suffolk County.

MS. ZAMARELLI:

Well, thank you.

LEG. VILORIA • FISHER:

And thank you for your good work.

MS. ZAMARELLI:

Thank you.

LEG. VILORIA • FISHER:

Thank you.

(Applause)

MS. ZAMARELLI:

I have to say •• I have to say that for any senior woman, sorry, guys, you have to get your own pageant, but for any senior woman, this is the pageant to be in. I have made so many friends that I can't tell you. I have no idea where my world is going from this day forward. Last night I was at a •• the North Shore Towers, and we did a huge talent celebration for them, and I couldn't believe the talent that was there from women who ranged from 61 through 83. I looked like a real novice amongst these women. But I am so happy, and I thank you very much for this honor and privilege for being here today. Thank you very much.

(Applause)

LEG. VILORIA • FISHER:

See what I mean?

P.O. CARACAPPA:

One last proclamation, and I have the honor of doing that. And if I can ask the representatives from Long Island Blood Services to join me.

Today Suffolk County Legislature recognizes Long Island Blood Services for their admirable job

it does each year to increase Long Island's supply of blood. Executive Director, Dr. James _Louis_, along with staff members, Christine Dingfelder, a Manager in Business Development, and Jennifer _Creagan_, an Account Manager, they work tirelessly with workplaces, churches, synagogues, schools, local community organizations, and Legislatures, I might add, to urge them to schedule life saving blood drives.

National statistics have shown that one in three people will one day require a transfusion in some point in their life, yet far too people donate in our community. Our local donor participation rate is less than 2%, and today I'd say that again, less than 2%, versus the nationwide average of 5%. Over 800 volunteer blood donations are needed each day for patients on Long Island •• in patients in Long Island's 50 hospitals. A donation of just one pint of blood can save up to five lives.

Everyone that's here today, I know Legislators are participating, staff, I know a lot of work has gone into making this day happen, so that we can give the gift of life with the donation of blood. I ask members of the audience, if you can, participate as well, not only today, but every day that you possibly can. So, with that, I'd like to present this proclamation for the good deeds and the good work in saving lives to Long Island Blood Services today on behalf of all of my colleagues here at the Legislature. Thank you very much.

(Applause)

MS. DINGFELDER:

Thank you, Presiding Officer Caracappa. It's a very important thing that you're doing today, and I have been in contact with many of the offices here. I know Legislator Kennedy and Legislator Nowick are sponsoring a drive on July 17th with the Commack Volunteer Ambulance, and Legislator Losquadro has been sponsoring two a year.

As Legislator Caracappa mentioned, less than 2% of our population donates on Long Island, and we're facing an extremely critical summer blood shortage. We need your help. We need your help today by donating blood, and we also need your help within your districts to encourage groups within your district, in your businesses, your schools, PTA's, your religious organizations, to come to us and to conduct blood drives, because here on Long Island we are not self•sufficient, we need to import blood from other blood centers all across the country, and we'd like to eventually become self•sufficient and take care of our patients. With the great hospitals

and the doctors that we have here on Long Island, if the blood isn't in the refrigerator when they get their, we won't be able to save their lives, so together I'm sure that we can create a safe and ample blood supply on Long Island, and I thank you for your help today.

(Applause)

P.O. CARACAPPA:

Okay. Thank you again. We are going to go now into the public portion. We have quite a bit of cards. We have a long agenda today. We're dealing with our Capital Budget as well. Each member of the public that wishes to speak has three minutes, three minutes only. You will hear a bell go off. When you hear that bell, your time is up. Because of the large amount of cards today, I will adhere to that timetable very strictly. So, with that, this is your time, it's not a question and answer period, it's your time only. First speaker is Kevin Rooney.

MR. ROONEY:

Mr. Presiding Officer, members of the Legislature, for the record, my name is Kevin Rooney. I'm the CEO of the Oil Heat Institute of Long Island. I rise to speak today in support of Introductory Resolution 1461.

We all know Long Island has many attributes which make it a great place to live, work and raise a family. Among those attributes, unfortunately, one would find no reference to an indigenous energy supply, since Long Island has none. All of the energy which we use in every aspect of our daily lives originates somewhere else, that is until now. Every day millions of meals are prepared, cooked and consumed in homes, institutions, restaurants and fast food emporiums. Some of the waste generated by these foods offers the possibility of a clean and renewable, but largely untapped, energy source with tremendous potential for Long Island energy consumers.

Biofuels offer a viable energy alternative as a blend stock for both on road diesel and home heating oil, which provide clear benefits for energy efficiency and our environment. The problem we face is logistics, there is simply no local manufacturing facility. The importation of biofuels from distant manufacturing facilities currently, and unfortunately, makes the use of this product cost prohibitive.

Introductory Resolution 1461 attempts to address this issue in a limited manner by making it

the policy of this County that we support the siting of such facilities to manufacture and distribute biofuels and empowering economic development to take such actions as it deems necessary to facilitate that objective.

I.R. 1461 is neither the panacea nor the solution to our long-term energy needs, but it is clearly a positive step in the right direction of reducing our energy dependence, improving energy efficiency, and enhancing environmental protection, thus we strongly urge your positive vote in support of its enactment.

I would also ask for your favorable consideration of Sense Resolution 33, requesting the Congress to authorize an investigation of the Commodities Futures Trading Commission, and particularly the trading practices of the trading of energy futures on the New York Mercantile Exchange. Given the recent volatility of all energy prices, we feel that such an investigation by the GAO is clearly warranted, and thus, we additionally ask your support of Sense Resolution 33. Thank you for your time and attention.

P.O. CARACAPPA:

Thank you, Kevin. Kevin McDonald.

MR. MC DONALD:

Good morning, Mr. Caracappa, and members of the Legislature. I'm Kevin McDonald. I serve as Director of Public Lands for the Nature Conservancy on Long Island, and I'm here to ask your support of Resolution 1625, which is an authorization to transfer from the Nature Conservancy to the County a parcel of land that we acquired on behalf of the State, the County, and the Town that the Governor announced on Earth Day. This has been a complicated transaction, it's been a difficult negotiation, it's been the subject of litigation for almost 20 years, and complicated development proposals before the Town for the last 20 years. It's a parcel known as the Dwarf Pine Barrens. It's only one of three such locations that exist in the world. It's a globally rare plant community under which lies substantial groundwater resource. It's been on the County's acquisition list for •• or the State's acquisition list for nearly 20 years in one form or another, and with good fortune today, I hope, on behalf of the Nature Conservancy, that you can move in positive support of that resolution as well. Thank you very much, and I'll stop.

P.O. CARACAPPA:

Thank you. Excellent, good job. Adolfo Escobar.

MR. ESCOBAR:

Thank you, Mr. Caracappa. I'm here on the resolution for 1282, the Methadone Program.

As we are aware, the actual present methadone program treatment dispensing has been a manual system, which we need to desperately update and bring up to date in order to bring a more efficient method of distributing the actual methadone and maintaining proper inventory and accurate distribution of this medication for our present clients.

Our system right now is a state-of-the-art system, which also is going to provide a more efficient accountability of the distribution, managing and inventory of the methadone. We urge you to actually approve this resolution in which we believe it would actually improve the budget in which we are presently right now proposing. Thank you.

P.O. CARACAPPA:

Thank you very much. Maurice Mitchell.

MR. MITCHELL:

Good morning.

P.O. CARACAPPA:

Good morning.

MR. MITCHELL:

On behalf of the Long Island Progressive Coalition and the other concerned citizens that are assembled here today, we implore the Legislature to support the efforts of dozens of experts in the criminal justice system that have taken in the past six months efforts in a sober evidence-based and non-ideological fashion to develop 29 recommendations that we feel are sound, and we feel, also, that corroborate all of the points that we made earlier about the need for alternatives to incarceration and efficiencies instead of construction to deal with jail overcrowding.

Amongst the 29 recommendations support •• some of the supports show safe housing for the mentally ill, support for people that are chemically addicted, some efficiencies that cost very

little money. And it's important that we don't segment these recommendations, because they're interrelated, so we need to work together to make sure that in a bipartisan way, all of these recommendations are funded and supported by the County Executive and the Legislature. So, we're asking that the Legislature, in a bipartisan fashion, looking at the CJCC report, examine it, and support as many of these recommendations as possible, so that we can reduce jail over •• we could reduce the jail population in a fashion that also supports public safety, but in a way where we don't need to needlessly build a super•jail of twelve hundred and eighty beds. So, we're asking that we stop the super•jail plan and, instead, employ a much more balanced plan of just building a replacement, rather than building twelve hundred and eighty beds capacity that we really don't need.

So, the CJCC plan says it all, and is coming from the County, and it's done in a nonpartisan way. We need to support this plan in a nonpartisan fashion and try to support all 29 recommendations. Thank you.

P.O. CARACAPPA:

Thank you, sir. Mardythe DiPirro, followed by Rich Bartel.

(Applause)

MS. DIPIRRO:

Good morning. We've been appearing before you for, I guess, most of the last year, and one of the cheering things is every time a report is issued, every time someone does a study, it validates what we've been saying to you, which is there are more economical, efficient and fair ways to run a system, rather than spending money on a huge construction project. There are services that we need.

And I'd like to speak to the goals that the CJCC, the Criminal Justice Coordinating Committee, tried to meet with its recommendations. They wanted, number one, to reduce the jail population; number two, to improve public safety; and number three, increase efficiency within the criminal justice system. And their proposals are estimated to be able to reduce the jail population by 460 beds in the first year.

And among those 29 recommendations include the permanent establishment of a funded staffed Criminal Justice Coordinating Committee to oversee the system changes. And we know

how important that is when we make decisions that we want to be put into effect. There's got to be someone in charge seeing to it that it meets the standards, to expand supervised release, which means assigning inmates to probation officers, to expand the use of technology systems, like GPS systems, to monitor the motions of those under punished supervised release, and also to increase the criminal justice mental health and substance abuse staffing in the jail. Now, are those cheap? No, of course not. They cost money, but they don't cost anywhere near the amount of money that construction of a huge super jail would require.

We're in an area that is very fortunate to be safe. Even Forbes Magazine says, of 150 residential areas in the country, Long Island is the safest place to live. This is not a place where we need to spend taxpayer money to build a super jail, but we do need to provide the services to meet the needs of our people. We ask you to consider all 29 recommendations and approve them, so that we can put our County on the fast track in improving the criminal justice system. Thank you.

(Applause)

P.O. CARACAPPA:

Thank you. Richard Bartel, followed by Michael O'Neil.

MR. BARTEL:

My name is Richard Bartel. I come representing Incarnation Lutheran Church's Deaconate Program, and in the past five to six years, we have focused, excuse me, our ministry on the inmates in Riverhead and Yaphank Jails. And so, I speak not just as an academic interested in these programs, but as a person who has worked directly with prisoners until this very day, Upstate prisoners, trying to help them in the needs that they have to rehabilitate themselves and to come back into Suffolk County society as productive citizens.

I want to endorse, and this includes the endorsement of our community in Water Mill in the church, I want to endorse this extraordinary comprehensive study done by the Criminal Justice Coordinating Committee of Suffolk County. It represents really a very high level of knowledge, understanding, and factual evidence as to what actually exists in our criminal justice system here in the County, and they provide very important imaginative and factually based recommendations as how to make our system more effective, more efficient, and, at the same

time, reduce our population in the jails by a substantial number. We hope this will help us to avoid having to build a fantastically expensive jail, super•jail complex, which will have long run costs in terms of the capital costs and the interest that has to be paid out over the upcoming years.

Let me just recite a few of the facts that come out of this case, which indicate what we have been saying here as we've come before the Legislature for the past two years. Over 75% of the inmates are being held on nonviolent charges. This is at a time when all the indicators for serious violent crime shows that it is going down in Suffolk County, not up.

More than half of the inmates in the system are pretrial. They're being held for long periods of time at taxpayer cost when they really have not been convicted of any crime at that point. Almost 20% of the pretrial inmates have bail of a thousand dollars or less. That could be managed somehow. And I think one of the most discouraging features, the evidence of our current system, is that about 16 to 20% of the inmates in Riverhead, for example, are mentally ill. They need the professional treatment of psychiatrist, psychologists, and all of these inmates need the help of social workers ••

P.O. CARACAPPA:

Please sum up, sir.

MR. BARTEL:

•• and counseling. I would hope that you seriously look at this report, digest this important evidence, and give your wholehearted support toward ways in which we could make our system more tax dollar efficient and effective in making our restorative justice system one of the models in New York and across the country.

P.O. CARACAPPA:

Thank you.

MR. BARTEL:

Thank you.

(Applause)

P.O. CARACAPPA:

Michael O'Neil, followed by Ken Kamoski. Mr. O'Neil. Mr. O'Neil once, twice. Ken Kamoski.

MR. KAMOSKI:

Thank you very much, esteemed Legislators. And I'm very pleased to be here for the third time to address you on this matter, and I want to also give my support as a Quaker to this wonderful report that has been produced for your edification and use.

The first time I spoke with you I sang you a blues. I want to remind you of the first lines of that. In the year I was born, one out of every 1,019 Americans was in jail. Now I'm 76. In 76 years, we now have one out of every 142 Americans are in jail; okay? And I said at the end of that blues, if you want to change this situation and be a model to the nation, you need to have alternatives to incarceration and lots more education. And that means educating the public to the fact that we do not need to be, quote, tough on crime when most of the people who are incarcerated are there for nonviolent, usually drug related crimes.

And I want to bring to your attention, if you didn't see it in the New York Times letters to the editor last week, a letter by Clay Rockefeller speaking for 37 members of the Rockefeller Family, and saying to you and to all other Legislators that after 32 years, the Rockefeller Family has become educated to the misdirected laws, so-called Rockefeller Drug Laws, and they are saying there are three things that need to be desperately changed; okay? These are desperate needs according to the Rockefeller Family that has been living with the burden of these laws. That is we need to stop mandatory sentencing, we need to stop the waiting of •• the weighing of drug related sentences, and we need more alternatives to incarceration, and that takes education. It takes the education of the public to understand what we mean by alternatives to incarceration, and why we need them, and you have a responsibility to do that. And I will be in touch with each of you very soon talking to you about the alternatives to ••

P.O. CARACAPPA:

Thank you, sir. Could you sum up?

MR. KAMOSKI:

•• the educational system that we now have to educate both the public, the most at risk members of the adult population, and the most at risk members of our high school populations

today to keep them out of the kind of system that we've had for 32 years.

P.O. CARACAPPA:

Thank you.

MR. KAMOSKI:

Thank you very much.

P.O. CARACAPPA:

Rae Walton.

(Applause)

Rae Walton, followed by Katherine Hoak.

MS. WALTON:

Members of the Legislature, Ladies and Gentlemen, good morning. My name is Rae Walton, I'm from Bay Shore, and I'm a member of Prison Families Anonymous. It's a group, a support group for families with involvement with the juvenile justice system and the criminal justice system. And I'm also the grandmother of an incarcerated male in an Upstate facility. I represent the many families who will be affected by your decision.

Alternatives to incarceration is a brilliant approach to reducing inmate population, particularly for the mentally ill and the chemically addicted, thus offering help and hope to the families and loved ones with treatment and preparation for reentry into society, and to decrease recidivism.

The Suffolk County Criminal Justice Coordinating Council has published a report that deserves close attention, as it addresses what might be viable solutions through treatment, rather than retribution. The media shows us on a daily basis jail could happen to anyone, even those in high positions, blue collar, white collar, black, white, young or old, and no one believes it could happen to them until it does. Thank you.

(Applause)

P.O. CARACAPPA:

Thank you. Katherine Hoak, followed by Veronica Fellerath.

MS. HOAK:

I'm Katherine from the League of Women Voters. Within these past few months, I have observed the Criminal Justice Coordinating Council, or CJCC, since it began its deliberations in November to deal with the jail mandate issued by our •• to our County by the Commissioner of Correction.

Mr. Caracciolo, at the Public Safety Committee meeting last week, you wondered how often the CJCC has actually met. Since I've been at just about all of the meetings, I can tell you it's met every Thursday afternoon from one two three, November through May, except when it reschedule to avoid meeting on Saint Patrick's Day.

As you know, decision•makers from every part of the Criminal Justice System sit on the CJCC, Public Works, Probation, Legal Aide, the Sheriff, District Attorney's Office, District Court, the Police Department, Legislative Budget Review, Community Mental Hygiene, Health Services, County Executive's Office, County Court, Legislator Bishop's Office, and Administrative Judge's Office. It seemed to me initially that there was a sense of turf and dis•ease, but once information from each department was shared and others understood the impact of the conditions in each department on theirs, and vice•versa, a mutuality of concerns and commitment to the County's criminal justice system emerged. This development was remarkable to observe. It was good government in action. As problems have become apparent, improvements and changes are made. Throughout the system analysis, there has been an insistence that every observation made had to be documented. If it couldn't be, it was dismissed.

I want to call your attention to one CJCC recommendation, the Pretrial Bail Expediter Program. Its purpose is to assist individuals in making bail by contacting their families or others who can post bail for them. Last Year, 2393 pretrial, nonviolent people were released from jail on bail. When that single expediter is either sick or on vacation, there is no one to take her place. The recommendation is for two additional expediters, so that round the clock coverage can be provided, saving the County \$203 a day for each of the hundreds of jail beds filled unnecessarily. The money saved for the County would be significantly larger than the cost of salaries for those two expediters.

The final recommendations, which CJCC made to members of the Correctional Facility and Oversight Committee, or CFOC, and to you are based on research and solid evidence. The council has been serving the citizens of Suffolk with integrity and diligence, and it is important that you give it the support necessary to continue this already established and well functioning collaboration.

P.O. CARACAPPA:

Thank you.

(Applause)

P.O. CARACAPPA:

Veronica Fellerath, followed by Peter Quinn.

MS. FELLERATH:

Good morning. I'm Veronica Fellerath of Catholic Charities, and I'm here to support the committee's recommendations for alternatives to incarceration as good policy and cost effective, and a move toward rehabilitation of offenders and away from recidivism. We are also in contact with our Diocesan colleagues in the prison ministry office, and they have a history of also valuing alternatives to incarceration.

My job at Catholic Charities is to be a liaison with forty•five parish social ministry coordinators at Catholic churches in Suffolk County. These coordinators run food pantries, and serve poor and vulnerable people, and they advocate for them, including those affected by the jail system. A week ago I had a breakfast meeting with ten of these coordinators, so since I knew I was coming here, I asked their experience with the jail system. Here's one story.

An outreach coordinator told me that a family came to her. Their son had been arrested. He needed a thousand dollars bail, the family only had \$500. Could the church help? Well, the church was able to help and the outreach provided the other \$500. And I asked her •• she said, "But we're still waiting for the \$500." And I said, "Well, did he jump bail?" She said, "No, it's been almost a year and it hasn't come to trial." Now, I tell this story not as •• to talk about the trial delay, because that could have been an aberration, but more to say that here is someone who hasn't even been convicted and who could have spent all that time in jail and at

taxpayer expense.

The report looked at a typical day. This is not •• this bail issue is not one small problem. On that typical day, 20% of those who are occupying jail beds had had bail set at a thousand dollars or less. Not everyone had a family to advocate for them, and not every family knew that they could come to a church, and not every church outreach has \$500 available. So, this is one issue that we would like addressed.

And I'd just like to point to sort of a very American value that we all hold and that's the idea of fairness. In our Christian tradition, we would say, "Love your neighbor as yourself," but this idea of fairness, or we might say equality under the law, let's look at this little story. Here was a person. If a ••

P.O. CARACAPPA:

Ma'am, please sum up.

MS. FELLERATH:

Sure. I think you have the point, and I would also just like to sum up by saying that I'm •• we are in support of these alternatives to incarceration. And, as I know you know, Catholic Charities also provides some of these mental health services and treatment for drug and alcohol problem, and there is a waiting list for this, and some of these alternatives could help this situation.

P.O. CARACAPPA:

Thank you very much.

MS. FELLERATH:

Thank you.

(Applause)

P.O. CARACAPPA:

Peter Quinn, followed by Colette Coyne.

MR. QUINN:

All right. Good morning, members of the Legislature. Back on December 3rd, an article appeared in Newsday in the business section in which it indicated that a company called _ALCAN_ , maker of bottling labels, was going to be relocating at a site in the Pilgrim State Hospital area, and it even indicated that they would take 21 acres of an 88 acre parcel. And to me, that sent alarm bells, because I recognized an 88 acre parcel as the Oak Brush Plains, or the Western Pine Barrens, the sole source of our drinking water in Western Suffolk, which needed to be preserved. So I called the police enforcement person at the DEC, assured me he'd get back to me, never did. I subsequently, in late January, called Peter Scully, the Regional DEC Chair in charge of enforcement. He assured me that he would get back to me and never did. I sent him a letter in March, March 4th, in which I indicated my concerns. When he didn't respond, I sent a letter to you on April 27th, thanks to the Clerk of the Legislature, Henry Barton, in which I expressed my concerns and asked you to respond. To date, none of you have.

I'd like to know whether those 88 acres that are being encroached upon are, in fact, the Oak Brush Plains. If they're not, then the matter is over. But if they are, then I want to know what kind of action should be taken. And I'd like a response from some of you.

The second thing, two months ago I proposed that you create a bond, 250 million dollars over five years, and, of course, that's a big price for renewable energy. But I think that the two bills that you passed, one Republican one Democrat, are rather futile and no challenge at all to the fossil fuel industry. What this would do is take each •• 50 million dollars each year for five year •• over a period of five years, spread it amongst business, government and homeowners, and put it on the ballot for November to let the people decide, then you're off the hook. You don't have to say you made a decision to spend money, you can let the public decide for themselves. I'd appreciate your letting them do that by putting that referendum on the ballot in November. Thank you.

P.O. CARACAPPA:

Thank you. Colette Coyne, followed by Richard Amper.

MS. COYNE:

Good morning. I'm here again to ask you to pass a strong tanning regulation bill. I am disappointed that Legislator Fisher's bill didn't even make it out of the Health Committee. And,

quite frankly, Legislator Binder's bill is far too weak, and I would urge you to just table it.

We have to stop and think of why are we looking to pass tanning regulations at all? The reality is to make it difficult for teens to use tanning beds, to save their lives, in spite of themselves, and in the process, hopefully, educate their parents to the dangers of these UV rays in tanning beds. We also want to up support parents who don't want their adolescents or teens using tanning beds.

Recently, at a meeting in Washington, we saw how this threat of melanoma is increasing tremendously. A study done shows that 19 year olds, 47% of Caucasians have used tanning beds at least three times or more. And also the •• another study indicated that those young people from 20 to 30 who have used a tanning bed at least once increased their risk of melanoma skin cancer by 150%. This is scary, given the fact that unless it's caught early, it can be a death sentence.

Melanoma has been increasing since the mid '70's, when tanning parlors had become the thing to do. And I was very saddened and frightened to hear that since 2004, it has increased, melanoma, by 10%. What a tremendous increase. We have got to do something. We've got to pass regulations that will prevent young teenagers from using tanning beds. The World Health Organization recommends that no one under the age of 18 use a tanning bed ever.

I urge you to table Binder's bill and move on with Legislator Fisher's bill. You heard Billy Snak speak here recently. Billy is a walking miracle. He's in Stage 4, and by all rights, one just does not last as long as Billy has. Obviously, God has another plan for him.

I urge you, save the lives possibly of your own family, your own children and grandchildren. Pass a tanning regulation, and, hopefully •• this is just one step, I know it's not the answer, but it's a beginning. We have got to make a difference. We have got to stop this disease.

P.O. CARACAPPA:

Thank you.

MS. COYNE:

Thank you.

P.O. CARACAPPA:

Your time has expired. Appreciate it. Richard Amper, followed by Diana Weir.

MR. AMPER:

The Pine Barrens Society would just like to take one minute to talk about the Multi•Faceted Land Preservation Program. We think it's very, very important that this be fully funded within the next budget. The Legislature should not •• should not, in fact, reduce these funds. They are essential to bridging the gap between the preservation programs, and they also help us with the affordable housing issue.

I want to be very clear about the affordable housing issue. Leaders in advocacy for both open space preservation on the one hand and affordable housing on the other were invited recently to a high level meeting with Newsday with their editorial board and agreed completely that there is no dichotomy between preserving open space and doing workforce housing. In fact, suburban sprawl, dropping one house on every two acres, neither preserves open space, nor allows for affordable housing, it results in the construction of what we see all the time, more unaffordable housing.

We were particularly concerned about some observations by the Budget Review Office and we're circulating a one•page memo that is easily understood. We need to be very, very clear that the laws of supply and demand do not, in fact, strictly govern what we do when we preserve open space relative to the cost of affordable housing, because we're not talking about the same land. We've never preserved open space that was targeted for affordable housing. Workforce housing tends to be built downtown, where there are sewers, and public transportation, and retail, and the opportunity for greater density. So, there need not be one relative to the other.

Another observation I saw in the Budget Review Office's report was this terribly discredited notion that somehow if we take the land off the tax rolls, our tax burden is greater. Of course, all of you know here that the more houses we build, the more there is a demand for government services, and, therefore, the costs go up. And all of us agreed only a year ago, when the Farm Bureau came, and the Long Island Association came, and the regional Planning Board came with the Pine Barrens Society, that the simple economic facts of life mean that if

we're to preserve a 4 1/2 billion dollar tourism industry, if we're to keep New York State's number one agricultural producing county, and the burgeoning second home industries healthy, apart from the environmental implications, we need to pursue these important land and farmland preservation programs. Done a great job up to this point, let's not shortchange it, let's keep it going. Thank you very much.

P.O. CARACAPPA:

Thank you Mr. Amper. Diana Weir, followed by Scott Lyon.

MS. WEIR:

Good morning. Thank you for allowing me the opportunity to address you. I'm here on behalf of the Long Island Housing Partnership, and also on behalf of the Long Island Association. Mitch Pally wanted to speak to you today, but was not available, he is in Albany.

As Mr. Amper said, we don't feel that housing and open space should be in competition, we feel they're very much in tune. But as we move forward and try to purchase homes, the money that the County has allocated to help in these purchases is very necessary.

And we want to thank you, because the fund that has been used already for Millennium Hills in Huntington and for Sunnybrook Court, those are exemplary developments that have helped our working families, and they're built in appropriate places and with great fortunate help to those people that are working in our communities.

We have other developments that we're looking at on the East End in Southold and in Southampton, and we thank you very much for your resolution, each and every one of you, to help us with the development and the redevelopment in Patchogue Village.

So, we're really just asking you to remember that as we lose more land for everything, I mean, when we preserve it, when we use it for construction of developments of other types, that supply and demand really makes it almost impossible for the affordable housing community to be in competition with the open market. So, the funds that the County has set apart are making a tremendous difference.

What we would ask you, and again, we thank you for all the support you've given us, and this

town •• this Legislature has been a bipartisan Godsend, because you've been very supportive in the past, that perhaps maybe we work on the process that allows that money to go through and flow to the different developments or to the towns, because in this very high priced market, time really means money, and as we wait to make these developments happen, the prices go up, and the affordable housing community cannot compete with the open market.

So, please keep those monies in mind when you approve your capital budget and maintain as much as you can. And we thank you again for everything you've done, we really appreciate it, and we look forward to working with you in the future on more developments. Thank you.

D.P.O. CARPENTER:

Thank you very much, Diana. Next speaker, Scott Lyon.

MR. LYON:

Good morning. I'm representing here today the Long Island Campaign for Affordable Rental Housing. We work with coalitions on a township level throughout the entirety of Long Island to get affordable housing legislation passed, and we are against the cuts to the Multi•Faceted Land Program contained in the omnibus budget.

Suffolk County has provided positive leadership on many issues. One example is, of course, affordable housing, and the creation of this program that bridges the gap between the critical need of providing affordable housing and the protecting of our own environment is one of those examples. However, 7177 of the budget before you cuts that program by over 60%.

In a time where we must be looking at Long Island's future, it's refreshing to have a dialogue where environmentalists and housing advocates are getting together. This program has helped meet critical needs, and if funded properly, will continue to do so.

Also, because zoning is handled on a town•by•town level, as opposed to many other parts of the country where it's handled by the county, this is one of the few ways that Suffolk, as a county, can positively influence the shape of Long Island's future, and ensure that affordable housing can be built.

Please, reconsider cutting 8.3 million dollars from this budget, and instead begin promoting this program. It's critical for the future of Suffolk County for you to continue to provide leadership

on this issue and restore the funds to this project. Thank you.

D.P.O. CARPENTER:

Thank you. Next speaker, Elizabeth Krolik, followed by Susan Barbash.

MS. KROLIK:

Good morning. I'm here on behalf of the Long Island Progressive Coalition. We are speaking against the cuts to the Multi•Faceted Land Program contained in the omnibus budget resolution.

I want to bring to your attention that the cost of homes are causing our 20 to 30 year old population to leave the County at five times the national average. This issue combined with the environmental concerns of Long Island, including the preservation of open space, is why the funds for this program are needed.

Suffolk County understands the need for providing workforce housing, as well as open space, which is why the members of this Legislature have agreed on a program to get advocates from both camps to work together. The program is meeting the critical needs of housing and the environment, and we call on the County to take leadership on these issues, since cutting these programs will have dire consequences on the environment and affordable housing.

We at the Long Island Progressive Coalition support both the initiatives and are happy to see a program that has been created •• has created common ground for these often opposing issues. So, we ask that you don't cut the budget by 8.2 million dollars and continue to support the housing and environmental needs of Long Island. Thank you.

D.P.O. CARPENTER:

Thank you. Susan, followed by Joe Gergela.

MS. BARBASH:

My name is Susan Barbash. I'm the President of Barbash Associates and the proud builder of the Sunnybrook Court, which was made possible by a grant from your Workforce Housing Land Acquisition Program. We have moved in eight of ten homeowners who won the lottery. One of them, amazingly enough, is a refugee from Kosovo, who nearly tackled Pete McGowan when she

won her chance to buy one of these precious homes.

I urge you to maintain funding at current levels for this important program. It becomes more important each month.

Everybody's talking about the price of real estate across the country. Suffolk County is no different. I would like to point out that the added benefit of this program in places like Bay Shore in Patchogue is that it is a good investment. It has provided an economic catalyst in areas that have been overlooked and undervalued, and it adds more property to the tax rolls, it increases property values. We have seen the affect of Sunnybrook Court on its own neighborhood in Bay Shore, and I urge you all to visit it, it's truly a miracle. So, I urge you to consider supporting this essential program. Thank you.

D.P.O. CARPENTER:

Thank you. Joe Gergela, followed by Ben Zwirn.

MR. GERGELA:

Good morning, Legislators, Presiding Officer. Joe Gergela from Long Island Farm Bureau. I, too, am here to weigh in in support of the Multi•Faceted Program, concerned about funding cuts, of course. From a selfish standpoint, obviously, we want to retain as much funding available as possible for farmland preservation, but this program has a far broader responsibility for not only land preservation, but other environmental programs, as well as the workplace housing initiatives that Suffolk County is engaged in. So, we, too, would ask you to keep full funding for that program, quite simply. Thank you very much.

LEG. VILORIA•FISHER:

Thank you, Joe.

P.O. CARACAPPA:

Thank you. Ben, followed by Dave Kapell.

MR. ZWIRN:

Good morning, Mr. Presiding Supervisor •• Presiding Supervisor, that goes back to my old days. Presiding Officer and Deputy Presiding Officer Carpenter. I want to switch gears a little bit on •• talking about I.R. 13 ••

LEG. CARACCILO:

We should have a Board of Supervisors again.

MR. ZWIRN:

I know, back to the old Board of Supervisors. I want to talk about I.R. 1360, which is a Charter Law to streamline County government by abolishing the Airport Lease Screening Committee. This was on for a public hearing in Riverhead at the last General Meeting and was recessed until today.

The County Executive has asked me to point out that the Lease Screening Committee came into existence in 1998, and while it has a number of Legislators or the representatives who serve on the committee, the County Executive is of the belief that he would like to see these leases come back to the entire Legislature for their scrutiny to open up the process even more, to give more people an opportunity to look at the leases, to make sure they meet the test of the light of day.

In the past, as you know, there had been problems out at the airport at Gabreski. Some leaseholders there were not paying rent. Some of them didn't have any written leases. We have tried to professionalize the office. The County Executive as hired and you have hired a professional manager at the airport, and a lot of these problems are being resolved. But he still thinks this is not an effort to try to, you know, get oversight out from the local community so they don't know what's going on, but to increase oversight by the entire Legislature to protect the taxpayers of Suffolk County. Ultimately, if anything goes wrong out at that airport, this Legislative body and the County Executive will be held accountable. It would only be fair that you come back and be able to review these leases and to be able to vote on them and ask questions before the entire body. Thank you.

D.P.O. CARPENTER:

Mayor Kapell, followed by Mayor Pontieri.

MAYOR KAPELL:

Presiding Officer, members of the Legislature, I thank you for the opportunity to speak with you this morning about Resolution 1474, which proposes planning steps for County acquisition of Village-owned property in Greenport known as South •• excuse me, Clark's Beach.

I'd like to start with a little recap of the history of the Village over the last ten years or so and our efforts to revitalize what was a very depressed place. We've undertaken a successful 20 million dollar capital improvement program, which has produced Mitchell Park, a reconstructed Front Street, Route 25 through the Village, and various and sundry other capital improvements that have spurred a major renaissance of our Village.

From the start, our theory was that if we cut taxes and kept taxes down, that this would inspire growth and also maintain affordability for local people. We undertook this in 1994 initially through the abolishment of our police department, which allowed us to cut taxes by 70%. I'm pleased to report that today, 11 years later, taxes remain 60% below the level in 1994.

We also sold, thanks to the support of this Legislature, those portions of our public water system residing outside the incorporated Village on the theory that it really isn't the Village's business to provide drinking water outside the incorporated boundary to the Suffolk County Water Authority for three•and•a•half million dollars, and we used that money to fund the Village's share in part of this capital improvement program.

We've also entered into innovative leasing arrangements with outfits like Hawkeye Electric, who constructed a 55 megawatt electric generating plant to help LIPA meet its summer peak load. They passed a substantial rent for the use of Village•owned property. We also have substantial cellular telephone communication facilities that we rent.

We're at a stage now with the Mitchell Park project, which has arguably become one of the most important regional waterfront parks on Long Island, is at completion, and we are dealing with the local consequence of borrowing that we undertook in order to complete this project, and we want to deal with it in a way that keeps our taxes where they are, low and affordable for the average Village resident. In order to do this, the Village Board has undertaken an inventory of property that we own that we consider surplus and are going to make available for sale. That leads me to Clark's Beach. Clark's Beach is one of these properties that the Village Board has so identified, and I'd like to tell you a little bit about it.

Clark's Beach was acquired by the Village. First of all, it's a 15 acre waterfront parcel that fronts on Long Island Sound with eleven hundred feet of beach front. It was acquired in the 1930's for the sole purpose of the Village installing an effluent pipe to direct effluent from our

sewage treatment plant into Long Island Sound. It was necessary and it's very •• this is a key point. Clark's Beach is totally outside the Incorporated Village of Greenport. The Village has no frontage on Long Island Sound, and so we were forced, in order to have a location for an outfall pipe, to acquire a piece with •• outside our incorporated limits, and that was the sole reason that Clark's Beach was bought. In its wisdom, the Village bought •• the Village Board bought much more than we needed for this limited purpose. We only need about a 50 foot wide strip to get down to the beach with our pipe. We bought •• we own 15 acres.

D.P.O. CARPENTER:

If you could sum up, please.

MAYOR KAPPELL:

Yeah. Clark's Beach is adjacent to Inlet Pond County Park and there's a long history of public use of Clark's Beach in order to access Inlet Pond County Park and the Sound frontage that exists there.

I want to emphasize that we're not trying to sell Clark's Beach to the County. Clark's Beach is a highly marketable piece of real estate. We have a long list of private buyers that have expressed interest in it. But, as a good neighbor, exactly as I would do if I decided to sell my home, I would go to my property line and announced to my neighbor that I wanted to •• that I was going sell and give them an opportunity to buy. This is exactly the courtesy that we've extended to the County, and we hope that you'll take advantage of it in the interest of maintaining and protecting public access to Long Island Sound on the east end of the North Fork. Thank you very much.

P.O. CARACAPPA:

Thank you, Mayor. Mayor Paul Pontieri from the great Village of Patchogue.

MAYOR PONTIERI:

Good morning. I come before you today to ask you to reconsider your possible decision to cut 8.3 million dollars out of your capital budget for workforce housing and open space. As others have spoken of it today, it is extremely critical that these monies be kept in place.

Several months ago I sat right here and talked about that workforce housing development

Patchogue was putting in place and you gave us •• gave me and our Village unanimous approval of it for us to go forward.

Projects such as the one in Patchogue don't happen without your support. Your support is critical for all workforce housing and open space for things to go forward and happen. Your support comes in various ways. It's the technical support that I get out of the Economic Development, your Office and Commissioner for Economic Development. Jim Morgo and his people give us an extreme amount.

Your support and the ability for me to go back to my community and say that you gave us back in February unanimous support to go forward gave me the credibility to say to the community this is what should happen. So, there are those noncash things that help us do what we need to do. But the most important for a small community like Patchogue, you're looking to cut 8.3 million dollars, our budget is 7.3 million dollars, so we would even match what you cut. But what we want to do doesn't happen without the financial support.

You know, cutting this kind of money for communities just cuts out the heart out of what happens to those kinds of programs. One of the most successful commissions that you have is your Workforce Housing Commission. That Workforce Housing Commission, this is a tool that they use. These monies that they have, that they have access to is the tool that they use to make these projects and these developments go forward. You cut this out and they do not have the ability to access the funds to make it happen. You create a paper lion out of your commission. Your commission doesn't operate without it.

Without the funds to help support workforce housing developments around the County, the small in•fill developments like Patchogue, and Patchogue is an in•fill development, it's 80 units on about five acres in the middle of our downtown. It gives economic development, and I've said this before, downtown revitalization, and provides workforce housing.

The two and three hundred unit developments around the County will happen. They'll have a certain amount of workforce housing put into it, because it looks good, it makes them feel good. They don't need your money. Your money doesn't •• the guy that's going to put 200 units out in a potato field, out in the middle of someplace else, your money becomes irrelevant to them, because they will make their money on the units they sell and then they'll put their 20% in. They'll put 40 units in and everybody will clap their hands and say, "Thank you very much." We're putting a development in with 80 units and we're putting 50% towards workforce

housing.

I want to give to this County •• I'm not going to give, my community is going to give to this County 40 units out of 80, the same amount that the guy out east or out west, or someplace in a potato field, will get their •• I'll quick •• I hear your little buzz, will get the same •• will get the same bang.

Please, do not become like New York State. Mandate, recommend, but don't give funding. Be what you are. Mandate, recommend, fund, let the goals go forward. Please, please reconsider this. It is extremely important for the County and the community. Thank you very much.

P.O. CARACAPPA:

Thank you, Mayor. Just for point of clarifications for my colleagues and for the public, currently, there's over 110 million dollars sitting unused for land preservation. We have more than 3 million dollars for affordable housing, workforce housing, sitting idle, unused. It's been unused and idle for many, many years. So, I think maybe we should look at the 110 million plus that we have first, and then move on from there. But we'll debate this later during the Capital Budget.

Next speaker is Jennifer Monahan.

MS. MONAHAN:

Good morning. My name is Jennifer Monahan and I'm the Director of Housing for Catholic Charities, which provides over 800 units of affordable high quality housing for seniors in Suffolk County. I'm here to support the Multifaceted Land Acquisition Program and to speak against the omnibus budget resolution that proposes drastic cuts to it.

At a time when both the need for housing and the cost of difficulty of providing is so •• is increasing so substantially, to consider such a drastic reduction in this program, which provides funding for the acquisition of open spaces and sites for affordable housing, raises grave concerns with Catholic Charities and for many of the nonprofit groups that share this crucial mission.

There's no need to tell you how badly affordable housing is needed here for working families, for young single people, and for people who just can't make ends meet, but I'm here to tell you

today that I'm speaking for the very neediest and to tell you how important the program is to the work that we do. Now is not the time for Suffolk County to be retreating from opportunities available for affordable housing, especially housing for seniors who spent their lives building Suffolk County.

I'm trying to keep my comments brief, but I need to express to you the hopefulness, but also the despair, and sometimes even fear that I can see in the faces of fellow Suffolk residents when I meet with them, talk about their needs, and who are •• and these people are all lower income seniors. Many of the people spent their lives building our beautiful County, and they're desperate to find a way to stay near everything they know and love, especially the families and neighborhoods, but they're being driven to dire situations and the possibility of leaving the community they love, because they're caught between the fixed income they have and the spiraling increases and the cost of living and housing here. The hope is that their lives' work for Suffolk County can be rewarded with an opportunity to live in a decent home near the families and grandchildren.

Agencies like mine encounter many obstacles when developing decent homes for citizens who have given us so much. This program can offer the necessary support without which projects can otherwise not be completed. Typically, affordable senior housing has very limited funding sources, and this program provides critical means by which we can bridge the financial gap we're faced with due to the sky•rocketing land prices in Suffolk. Without this essential funding, we cannot get this job done. Such a tragic outcome to our projects would not only deprive Suffolk residents, it would also prevent significant federal funds that are available for construction costs for these developments to be invested into our local communities.

Many essential components are needed to tackle the huge problem we have now with affordable housing in Suffolk, and for this goal to be achieved, this integral program must be safeguarded and enhanced. Therefore, we respectfully urge the Legislature to look hard at the needs we have, the opportunity available to us with this program, and to please think deeply before ever cutting this vitally important program. Thank you.

P.O. CARACAPPA:

Thank you very much. Joann Riggio.

MS. RIGGIO:

Good morning.

P.O. CARACAPPA:

Good morning.

MS. RIGGIO:

Thank you for the opportunity to share my thoughts with you today. I pray that God would give me the words to help you understand why you shouldn't cut 8.3 million dollars from a budget that provides for affordable housing.

I stand here this morning as a voice for those who are unable to speak for themselves. I stand here in the gap, which is growing ever wider and deeper, for those who need affordable housing. Maslow wrote in part of his Hierarchy of Needs that a person needs shelter and a belonging to realize self-actualization. It doesn't matter what religion you are, what sex you are, what nationality you are, or what race you are. As George Moore once said, "After all, there is but one race, humanity. I ask you to behold, behold these people I speak for who belong to humanity, but are forced to stand on the furthest edges of it."

Currently, and for the past two years, while volunteering at Saint Cyril and Methodius' Outreach Office, I have seen and spoken with a substantial number of people, all standing on the furthest edges of humanity within the Deer Park and North Babylon communities, people who face devastating housing issues and situations. They range from homelessness, pending evictions, unsafe living conditions, and abuses. These people struggle on a daily basis, sometimes minute to minute. They struggle to provide housing and the basic needs of human existence for themselves and for their children. They include single mothers, widows, widowers, seniors, immigrants, the mentally ill, the disabled, married couples, etcetera. They are white, black, Hispanic and others. They are young, middle aged and old. They are all part of humanity.

I ask you to behold, behold these people as a part of valued humanity who have the same basic needs as you and I, and who are worthy to share in the same basic life-sustaining benefits you and I share. They aren't asking for a mansion. A safe place to lay their head at night would do. They aren't asking for some of the amenities and perks that you or I may currently enjoy, such as a swimming pool, tennis court or golf course. A small piece of grass where their children can safely play and dream dreams while laying on that grass would do. Behold ••

P.O. CARACAPPA:

Please, sum up, ma'am.

MS. RIGGIO:

I'll finish up in a second. Behold, behold those voices that are crying out from the depths of their being for themselves and their children, for I pray that none of you will ever have to be in their position.

In closing, I ask that you will not cut the funds, which are so desperately needed. Thank you for your time and attention. God bless.

P.O. CARACAPPA:

Stephen Burke, followed by Sarah Anker. Good morning.

MR. BURKE:

Good morning, Legislators. My name is Steve Burke. I'm the President of the Long Island Divers Association. We are a •• and I'm here to speak in favor of Bill 1474. And I thank Representative Caracciolo for his good work in bringing it to the Legislature, and I'm very pleased to see it has passed virtually unanimously.

Clark's Beach, also known as Secret Beach with the diving community, is really the only public access or available access on the whole North Shore for the public to enjoy the beauty of this Island in so many ways. I had my personal scuba certification there about 20 years ago. It's been used for over 40 years by divers for scuba certification, and to help support the many dive businesses that are on Long Island. There are more than 30 scuba shops, dive boats and other businesses who need to certify their divers and for them to enjoy the community of Long Island. The vast majority of that takes place at Clark's Beach.

Fishermen enjoy Clark's Beach, and they enjoy it in harmony with divers. Campers enjoy it, the general public does. Over many, many years, the Long Island Divers Association has done beach cleanups at Clark's Beach at least once a year. We're a good community for the County and the County is good for us.

I can't urge you more strongly to please support that bill. We need to at least study and the

County needs to at least study acquisition of that property as a marine park or other County land, or in some other manner to keep it available. The marine park concept has worked great with respect to scuba divers on Long Island. I refer you to the Ponquogue Bridge. The Ponquogue Bridge, essentially through State funding, has become a marine park, and it's utilized, it's utilized wonderfully, it's utilized safely. This Legislature has helped preserve and has helped make access to Culloden Point. After many, many years of the Long Island Divers Association lobbying and attempting to get Culloden Point accessible to divers, you've now helped with funding to put in stairs there.

We're the type of community, the dive community, all of the communities that enjoy the aquatic environment and aquatic land are the type of community I think that this Legislature should encourage to be a part of Long Island. We try to do our part and I know you'll try to do your part.

As one of the Legislators mentioned just a little while ago, the Suffolk County Multifaceted Land Preservation Program has the funding. There can be very little better use of the funding than preserving that asset. Clark's Beach, which the divers call Secret Beach, and it's not a very well kept secret as you know now, for the public. The lack of any alternative to Secret Beach, or to Clark's Beach, should certainly be considered by this Legislature as well. It's a good piece of property, it's a solid piece of property, and we need that preserved, as opposed to three or four more multi-millionaire mansions on the North Shore of Long Island.

Please, folks, accept the recommendation of your committee, do the study, and if there's any support the Long Island Divers Association can give you, we're happy to. In two days, 175 signatures, which I'll gladly give you.

P.O. CARACAPPA:

Thank you, sir. Sarah Anker, followed by Janice Raber.

MS. ANKER:

I'm asking if there's a quorum.

P.O. CARACAPPA:

There doesn't need to be under the Rules of the Legislature, ma'am. The Presiding Officer may

call for a recess, which I won't. I'll ask all Legislators to report to the horseshoe. Please, continue.

MS. ANKER:

Okay. I'm here today to ask for your support for pesticide reduction legislation. The Bill, 2102, introduced by Legislator Jay Schneiderman, is an attempt to reduce the exposure of carcinogenic pesticides to the residents of Suffolk County. This bill may not meet the expectations of the Legislators here today, however, I ask you to reach out to Jay, and Dave, and the people who have tried to create important legislation, to reduce the toxic exposure to pesticides.

Whether or not this bill goes forward today, I just would like you to be aware that I'm here asking for your support for pesticide legislation.

I have a 2001 Suffolk County Water Authority information brochure, and in it it lists the wells that were removed from service. North Patchogue, Bayport, Cutchogue, East Northport, Patchogue, Selden, Peconic, East Marion. And what happens is Suffolk County Water Authority quarterly checks our water, so these wells sit around with tetrachlorethene, all kinds of nitrates, and we drink it. And these pesticides get in our water, because we're an island of sand. And I'm on Brookhaven Lab's Citizen Advisory Committee or Council, and right now they're spending millions, eventually, hopefully not, but billions of dollars cleaning up chemicals that have gotten into our water.

All I'm asking for you guys to do •• and I saw Cameron, I saw Brian, I saw Pete on Sunday at the two•day Long Island Breast Cancer Walk, Smith Point to Cathedral Pines, and they spoke how important it is to find out what causes diseases and breast cancer, and there's other kinds •• all types of diseases, and these diseases are caused from chemicals. We are •• we are made up of chemicals. For the industry to tell us that it's not affecting us, I don't believe them.

There are Dupont, Dow, 2.4 billion dollars they make, each company more, more than that from chemicals. If they're going to put money in front of our health, then there's a problem.

This Legislature has taken on the challenge of preemption with yourself and legislation, with the detergents when you voted on that. There is legislation in the State that said you can't do what you're doing and you did it anyway, and guess what, you won. You went beyond where you

thought your comfort level was. And all I ask you right now is, please, consider legislation for pesticide reduction. Thank you.

P.O. CARACAPPA:

Thank you. Janice Raber, followed by Bob Carlino.

MS. RABER:

My name is Janice Raber. I'm the Vice•President of the Long Island Divers Association, and I'm here to tell you, to reiterate what my colleague, Steve Burke, said, and tell you about the uniqueness of Clarks Beach. It is not just another beach. It's special, because it would provide Suffolk County with the first accessible Suffolk County park on the North Shore of Long Island that includes parking. There are parks on the North Shore, but they're only accessible from the water, as far as a Suffolk County resident is concerned.

In addition, the uniqueness about this site is •• what makes it different from being just another beach is that it meets all the industry standards for scuba divers for a training site. It's a good place for fire departments to train people for rescue, it's a good place for police departments to train for rescue, and I myself learned there 20 years ago. It has an excellent aid by means of the pipe that extends out several hundred yards out into the Long Island Sound, so a new learning student can simply follow that pipe out and follow that pipe in and enjoy the very unique and special marine life that grows around there and that is inhabited there. It has a lot of rocks, which is why it is such a unique marine habitat, because that's where all the marine life likes to grow, it's around the rocks.

It's also safe as far as currents go, unlike the Ponquogue Bridge, which is only divable during a certain tide, the slack tide. The waters at Secret Beach can be accessible at any time of the day or night. It's also and excellent, excellent night dive.

I would urge you to make this part of the Suffolk County park system and perhaps make it a special marine park, and keep it accessible to residents of Suffolk County. Thank you.

P.O. CARACAPPA:

Thank you very much. Bob Carlino.

MR. CARLINO:

Thank you, and good morning. We're here today to speak in favor of the omnibus capital budget. As you know, we've been here before in the past and historically have been critical of the Legislature for failing to appropriate dollars for highway work. We're happy to be here today. We see that the Legislature has added an additional 7 million dollars in the first year and 21 million dollars over the next three years to the County Executive's budget and we'd like to applaud that. Particularly, within that 7 million dollars is a 5 million dollar appropriation for an item known as the strengthening and improving of County roads.

As you know, Suffolk County has the highest fatality rate of any county in the State of New York on its highways. The strengthening and improving of County roads goes a long ways toward improving the roadway surfaces, the lines of sight, and begins to correct the •• I'll say antiquated designs from years ago that in many cases leads to highway accidents.

These bills and these measures will improve the quality of life for your residents. It will create business opportunities for our members and for our employees, and it saves lives. So, we urge you to adopt this measure during your •• the convening of the entire Legislature. Thank you.

P.O. CARACAPPA:

Thank you, gentlemen. Reba Siniscalchi. I'm sure you will correct me, I hope you do correct me. Siniscalchi.

MS. SINISCALCHI:

I would be very happy to correct you. My name is Reba Siniscalchi.

P.O. CARACAPPA:

That's a challenging name.

MS. SINISCALCHI:

You were close, Siniscalchi.

P.O. CARACAPPA:

It doesn't look that easy.

MS. SINISCALCHI:

Siniscalchi, exactly the way it's written.

P.O. CARACAPPA:

Believe me, I go through it all the time.

MS. SINISCALCHI:

But, anyway, I am here as President of the Huntington Township Housing Coalition, and I'm here to once again speak against the cuts of the Multifaceted Land Program that are contained in the omnibus budget resolution.

Now, I know you've heard from several people speaking on this issue previously and they've all made some excellent points, and I support what you've heard so far. I just want to add, I think I have something to add, and that is I'd like to put the numbers in a little smaller sense. Everybody's talking about the 8.3 million that you're looking to remove, and I'd like to talk to you about one situation.

In Huntington, a nonprofit is trying to build a new house for a low or moderate income family. Now, we're not talking about a big house, okay, we're talking about a house that has maybe twelve hundred and fifty square feet. It's three bedrooms, twelve hundred and fifty square feet. That's not a huge house. We're going to be including a one-bedroom apartment for rental income of 523 square feet. So, the total house to be constructed is about a 117 •• I'm sorry, 1,750 square feet. The estimated cost so far to build this house are over \$250,000. To make it affordable to a family earning approximately \$55,000, which is a reasonable amount of income for our middle and low income families, we have to bring the costs down to \$215,000. Now, I'm giving you these numbers so that I can make this following point. That \$215,000 required to build this house does not include any land costs. The land has been donated, has been given by the Town, so we have zero land costs, and we still have to struggle to create affordable housing for people earning \$55,000 a year.

The money that you're looking to remove from these multifaceted land appropriations here is money that can be used to purchase property to provide other opportunities for low and moderate income families to have a house where the mortgage is something that they can afford, that can be affordable to people at 60 to 70% of the median income. This 8.3 million, which is coming out of a fund that has 25 million, is basically one-third of this fund that's

available to cover a multitude of areas, including the purchase of property to build affordable housing, also the purchase of land for open space.

Although I know it's been mentioned earlier that there's over 3 million dollars in affordable housing funds, my understanding is that was the result of the first year of a four-year program that committed

5 million dollars for four years to provide property for affordable housing. After the first year where the 5 million was allocated, the remaining 15 million went into this multifaceted land fund, and now we're talking again about removing it.

So, what I'm asking you is to, please, refuse to balance our County budget on the backs of our hard working low and moderate income families who are just wanting to share in our American dream of being a homeowner. All right? Please, do not remove the funding of 8.3 million. Thank you.

P.O. CARACAPPA:

Thank you. Jim Rogers.

MR. ROGERS:

Good morning.

P.O. CARACAPPA:

Good morning.

MR. ROGERS:

I'm going to echo pretty much what Reba had just said about the 8.3 million dollars from the Multifaceted Program. As a representative of labor that represents workers that would like to live in this workforce housing and also build the workforce housing, it's real important to everybody in the labor movement right now.

I also sit in on the Suffolk County Workforce Housing Commission, and the projects that are starting to come to fruition before the Commission right now, it's pretty exciting. And I know you had mentioned before that there's a lot of money sitting in this program right now. I don't think you're going to have to worry about that in the near future because of the different projects that are coming up, developers coming before the Commission. So, the last thing we

need right now is 8.3 million dollars cut from that. If anything, there should be more money going into it, because of the amount of developers coming forward. And it's a pretty exciting time to be on the Commission see, you know, something finally happening. I mean, it's •• so far, it's just •• we've put a little dent in the problem. Hopefully, in the future, we're able to really address the need for workforce housing. Thank you.

P.O. CARACAPPA:

Thank you, Mr. Rogers. I have no other cards. Motion to close the public hearing •• public portion by myself. Second.

P.O. CARACAPPA:

Second by Legislator Alden. All in favor? Opposed? Abstentions? Public portion is closed. We're going directly to the agenda.

Motion to approve the Consent Calendar by myself, second by Legislator Alden. All in favor? Opposed? Abstentions?

We now jump to Page 8 of the agenda, resolution tabled to today.

MR. BARTON:

18.

RESOLUTIONS TABLED TO JUNE 7, 2005

P.O. CARACAPPA:

1086 (A Charter Law to create the Real Estate Acquisition Anti•Corruption Reform Act).

LEG. ALDEN:

Motion to approve.

P.O. CARACAPPA:

Motion •• there's a motion.

LEG. BINDER:

Motion to table.

P.O. CARACAPPA:

Motion to table by the sponsor.

LEG. ALDEN:

I withdraw.

LEG. LINDSAY:

Second.

LEG. ALDEN:

Second.

P.O. CARACAPPA:

Second by Legislator Alden. All in favor? Opposed? Abstentions?

1694 (Authorize the commencement of Eminent Domain Proceedings for Mediavilla property, Town of Huntington).

LEG. BINDER:

Motion to table.

P.O. CARACAPPA:

I think the County Executive's people just had a little scare, heart palpitation.

MR. BARTON:

18.

MR. ZWIRN:

My pacemaker is still working.

P.O. CARACAPPA:

Same motion, same second, same vote for 1694.

1928 (A Local Law to establish smoke free school bus stops in Suffolk County). Is there a motion?

LEG. BISHOP:

Motion to table.

P.O. CARACAPPA:

Motion to table.

LEG. BINDER:

Subject to call, motion to table subject to call.

P.O. CARACAPPA:

Subject to call by Legislator Binder.

LEG. BISHOP:

Second.

P.O. CARACAPPA:

Second by Legislator Bishop. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

2102 (A Local Law to promote the health of Suffolk County residents by restricting the use of toxic lawn chemicals by unlicensed applicators in Suffolk County). Motion to table by Legislator Schneiderman, second by Legislator O'Leary. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

2303 (Amending the Adopted 2005 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2005 Capital Budget and Program, and appropriating funds in connection with storm remediation improvements for CR 50 Union Boulevard at Champlins Creek (CP 8420). Is there a motion?

LEG. MYSTAL:

I'll make the motion.

P.O. CARACAPPA:

There's a motion by Legislator Mystal.

LEG. CARACCILOLO:

Second.

P.O. CARACAPPA:

Second by Legislator Caracciolo.

LEG. BISHOP:

This is Alden's bill, right? It's your bill.

LEG. ALDEN:

No, this is ••

P.O. CARACAPPA:

On the motion, Legislator Alden.

LEG. ALDEN:

Are you making a motion to approve?

D.P.O. CARPENTER:

Yeah, he did.

LEG. MYSTAL:

Yeah.

LEG. ALDEN:

All right. I just want to find out, because I was under the impression that mine differed, because both ends of Champlins Creek, which runs a little bit north of Union Boulevard down to the Great South Bay. On the Montauk part •• Montauk Highway portion of it, we're putting in some drains that would get rid of a lot of the toxic element that comes off of the road. And I was hoping that the project up on Union Boulevard, actually, I promised to people in the area that the project up on Union Boulevard would contain the same type of protections, and I'm not sure what this resolution does. The resolution I put in does, so ••

LEG. MYSTAL:

Alden, I just made the motion so it wouldn't die. If you want to make a motion or whatever ••

LEG. ALDEN:

Does this contain the filtration?

LEG. LINDSAY:

I don't know.

P.O. CARACAPPA:

Mr. Zwirn.

LEG. ALDEN:

I'll support this, if it contains the filtration that I have in my bill, but ••

P.O. CARACAPPA:

That's the question, does this bill contain the filtration system?

MR. ZWIRN:

I'll •• let me get in touch with Public Works, and if you can give me a moment.

P.O. CARACAPPA:

Would tabling for one cycle be all right?

MR. ZWIRN:

That would be fine.

P.O. CARACAPPA:

We'll be back here in two weeks.

MR. ZWIRN:

Okay.

P.O. CARACAPPA:

Motion to table by Legislator Alden, second by myself. All in favor? Opposed? Abstentions?
2303 is tabled for one more cycle.

MR. BARTON:

18.

P.O. CARACAPPA:

1110 (Amending the 2005 Operating Budget and the Salary and Classification Plan to establish a Compliance Officer to insure accountability). Motion to table. Motion ••

LEG. CARACCILO:

The bill has been changed.

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCILO:

Thank you, Mr. Chairman. Up until recently the Comptroller was opposed to this resolution, because it placed this position in the Budget Review Office. He insisted that it would be more appropriate to have it in the Comptroller's Office, so the bill has been amended to reflect the position in his office.

LEG. VILORIA • FISHER:

Which one are you talking about, Mike.

LEG. CARACCILO:

Compliance Officer.

P.O. CARACAPPA:

I haven't seen those changes or spoken to the Comptroller.

LEG. CARACCILO:

Counsel?

P.O. CARACAPPA:

I believe they're in there, I'm just saying I haven't had a chance to speak with the Comptroller since he raised the objections.

LEG. CARACCILO:

Are you aware of any other reason for his objections?

P.O. CARACAPPA:

I haven't heard that he's okay with the bill currently.

LEG. CARACCILO:

Is it your understanding, as it was mine, that his objection was based on the fact that the position should be in his department?

P.O. CARACAPPA:

No. If my memory serves me right, his objection was that his department already does this function and that you were creating this at a much higher grade than is currently being done within the functions of his office.

LEG. LINDSAY:

I'll make a motion to table.

LEG. CARACCCIOLO:

Well, that's never been related to me. In fact, we have attempted to meet with Mr. Sawicki

over the last six months and we're still waiting. He's been very much occupied with assignment of personnel to the D.A.'s Office. I can't believe that he would be resistant to providing more manpower to his staff to carry out the very important function of somebody in County government monitoring the whole array of federal and state grants this County receives. There's no one that does that on a regular basis.

P.O. CARACAPPA:

Is there a motion to table by Legislator Lindsay?

LEG. LINDSAY:

Motion to table.

MR. MONTANO:

Second.

P.O. CARACAPPA:

Second by Legislator Montano.

LEG. CARACCCIOLO:

Roll call.

LEG. O'LEARY:

On the question on the motion to table.

P.O. CARACAPPA:

Legislator O'Leary.

LEG. O'LEARY:

I'd just like to point out that even though Legislator Caracciolo indicates that there is acceptance by the Comptroller with respect to the issues that were raised, I would offer that we consider tabling just for one cycle for the purposes of verifying that with the Comptroller himself.

LEG. BINDER:

It's only two weeks, Mike.

LEG. CARACCILOLO:

Pardon me?

LEG. BINDER:

It's two weeks.

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCILOLO:

That I don't have a problem with.

LEG. O'LEARY:

One cycle.

LEG. CARACCILOLO:

One cycle.

LEG. TONNA:

Could we just •• no roll call, then?

P.O. CARACAPPA:

There's a motion. There's a ••

LEG. CARACCILOLO:

It's a good bill that the Legislature should support.

P.O. CARACAPPA:

You withdraw the roll call, withdraw the roll call request?

LEG. CARACCILOLO:

Yes.

P.O. CARACAPPA:

All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1113 (A Local Law to permit the seizure of motor vehicles to protect Suffolk residents from drivers whose license or privilege to operate a motor vehicle is suspended or revoked). I believe there's a CN coming. Skip over.

1120 (Amending the 2005 Operating Budget and creating 44 positions in the Department of Social Services and transferring funds to fill the positions effective July 1, 2005). Motion by Legislator Tonna.

LEG. TONNA:

Yep, I make a motion to approve.

LEG. O'LEARY:

Second.

P.O. CARACAPPA:

Second by Legislator O'Leary.

LEG. TONNA:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Tonna. If you talk, you may lose votes.

LEG. TONNA:

What?

P.O. CARACAPPA:

If you talk, you may lose votes.

LEG. TONNA:

Yeah. Oh, you got them? Okay. So, let's get them.

P.O. CARACAPPA:

All in favor?

LEG. ALDEN:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Alden.

LEG. TONNA:

Oh, there you go. You want me to ••

LEG. ALDEN:

We have over 700 vacant positions in the County government currently. There was an indication from The County Executive's Office that he's got over 300 SCIN forms to fill positions. Some of those positions actually are over here in •• where we're creating 44 new positions.

LEG. TONNA:

Right.

LEG. ALDEN:

I suggest that let's use the positions that we have, fill them, and I don't think we need to create more positions.

LEG. TONNA:

On the motion.

P.O. CARACAPPA:

You got it.

LEG. TONNA:

Okay. Legislator Alden, in a perfect world, that would be great, but the fact is is that the County Executive doesn't want to fill the positions. Okay? That doesn't mean we don't need them. And, to tell you quite honestly, these 44 positions, if you remember, Budget Review talked about it very clearly in the last budget cycle, that just to meet our mandated programs, we need these additional 44 positions.

The second thing that heartens me is that our Commissioner of Social Services says, when we get positions filled, we actually get things done. For example, with nursing homes, if you remember correctly, so many nursing homeowners came to us saying that the payments were not just two months late, three months late, but six months late, a year late in processing, you know, their vouchers, or whatever they did, which was hurting their operations in taking care of County elderly. The minute that SCIN forms are signed and that there were people rushed to that •• to that •• those positions, the nursing homes came back and said, Boy, when you fund government correctly, things work."

The problem that I have is that •• it's twofold. One is he should sign those SCIN forms, which I'm sure we're in agreement with, but that's not enough. He should sign those SCIN forms and then have the 44 additional positions to meet just what we're mandated to do. And the County Executive has been terrible at this, and I don't think that the poor, all right, should be subjected to the concerns about him balancing a budget, or whatever. We heard cries of the County Executive last year, right, Joe, I think we heard this about a huge financial crisis, that we're going to have to can here, we're going to have to cut down everything. Not on the back of the poor. And you can't ask a Commissioner of Social Services to run a department that is undermanned by three hundred and whatever that Legislator Alden talked about, plus 44 positions. So he should sign the SCIN forms that we budgeted, and we need an extra 44 positions to take care of kids who are getting beaten up every single day, parents who are not •
• single parents, usually mothers, although there are exceptions, who are not getting the child payments that they knew, for people who are trying just to process claims, so that children could get health care. This is what County government does. You don't like it, you know what, then cut it all out, but poor people need services, all right, abused children need services, and we need an extra 44 positions to make sure this happens, so that the Commissioner of Social

Services can do her job and their department could do their job.

So, shame on County Executive Levy for playing games, budgetary games, with the poor and poor children. Sign those three hundred and something SCIN forms and give us the other 44 positions that we need, so people could work hard to make sure that we take care of the poor. Thank you.

P.O. CARACAPPA:

Legislator Alden, Caracciolo, then Schneiderman.

LEG. ALDEN:

That was a very impassioned plea, and I would join you in your passion and for the need to protect children, to protect battered women, and the other positions here, but in Legislator Caracciolo's Budget Committee, there was testimony establishing the fact that out of that 700, which is almost like 800, vacant positions now, they overlap with a lot of the things that you're trying to do here. As a matter of fact, they might overlap completely. So, there might be positions exactly equivalent to what you're trying to create here that are unfilled, and there might be positions that are actually being or attempted to be filled right now. And I agree with you, if there's 300 SCIN forms out there, which that's one of the pieces of testimony that came out, fill them, but they also couldn't identify what positions those were at the committee. So, I don't ••

LEG. TONNA:

Cameron, Social Services Commissioner says she needs these positions.

LEG. ALDEN:

I don't •• no, I don't disagree with you as far as a need for these positions, I think these positions are already existing and they're unfilled, and that's what we were trying to establish in •• or Legislator Caracciolo was establishing in his committee. So, I don't disagree with the attempt to put bodies in there to do the proper and to protect the people in Suffolk County. I do a little bit object with creating 44 new positions when we have over 700 vacant positions that are already in the budget.

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you, Mr. Chairman. Mr. Zwirn, could you just, for the benefit of the entire Legislature, provide us with the current SCIN forms that have been signed year to date?

MR. ZWIRN:

I can't give you entire, but I can give you some update on Social Services of which pertain to the bill in front of you.

LEG. CARACCIOLO:

Well, let's •• before you do that, I'd be happy to hear that, but back in February and March, we heard Mr. Bortzfield come before the committee and pledge that the County Executive was committed to signing three hundred•plus SCIN forms in short order because of the needs of County government.

Testimony we received the last Budget Committee meeting last week we learned that, depending on whether it was our Budget Office, Budget Review Office, or the County Executive's Budget Office representative, that the number is somewhere between 50 and 70. Now, has that number changed since last week?

MR. ZWIRN:

That number would represent what was signed for Social Services. Eighteen people were hired, and there were another 50 SCIN forms that have been signed and there were in the process of hiring.

LEG. CARACCIOLO:

How many of those positions would correlate to this resolution?

LEG. TONNA:

None.

MR. ZWIRN:

Well, these are extra •• these are positions •• those were budgeted positions, these are

nonbudgeted positions.

LEG. CARACCILO:

Okay. The need that Legislator Tonna has identified here is one that clearly has been established as cost effective. Do you dispute that?

MR. ZWIRN:

I'd have to ask the Commissioner, I couldn't •• I couldn't tell you.

LEG. CARACCILO:

Budget Review Office, could you respond to this resolution and whether or not it would make County government more cost efficient by having these individuals? I mean, that's the statement of the Commissioner.

LEG. TONNA:

Well, these are heavily •• these are heavily ••

LEG. CARACCILO:

Excuse me.

LEG. TONNA:

•• funded.

MS. VIZZINI:

I can tell you, based on the fiscal impact statement, that these positions will be placed in housing, adult services, family and children services, client benefits and Medicaid. There is Federal and State Aid available.

LEG. CARACCILO:

What was the percentage?

MS. VIZZINI:

It's greater than 50%.

LEG. CARACCILOLO:

So, the net cost to the County is 50% of •• well, what's the cost to the County to fill these positions, and what's the cost benefit analysis of filling these positions?

MS. VIZZINI:

For the remainder of 2005, the cost is ••

LEG. TONNA:

Joe, I could answer that.

MS. VIZZINI:

Well, the cost is completely offset by the transfer. The 2006 impact would be approximately, this is net, 1.3 million.

LEG. CARACCILOLO:

What's the cost benefit for filling these positions?

MS. VIZZINI:

It allows the department to process what it needs to process and perform its services. I don't have a true cost benefit analysis.

LEG. CARACCILOLO:

Do you believe there is one? That's the testimony of the Commissioner.

LEG. TONNA:

I can answer that.

LEG. CARACCILOLO:

Go ahead. Mr. Chairman, if you don't mind.

LEG. TONNA:

Do you mind?

LEG. CARACCCIOLO:

Go ahead.

LEG. TONNA:

What's the cost benefit •• what's the cost benefit to having a police officer, okay, and stopping crime? What's the cost benefit to having a kid, all right, get the services that they need, health care service that they need, and, you know, and not have a cycle of poverty that continues well into, you know, their adulthood and everything else? All the indices show you spend a dollar on a kid today, all right, they're not in the criminal justice system at the high rates, and everything else, the cost benefit analysis is •• first of all, we're mandated to do this. That's why people pay taxes, that's why we have these things. All right? People are mandated to do it.

If, you know, we look at a cost benefit analysis of every single service that the County pays for, we'd have no County.

P.O. CARACAPPA:

Legislator Tonna.

LEG. TONNA:

You know. So, all I'm saying is, is that if you look at the cycle of poverty with children, and you look at these things, I think it's a five to one. For every dollar that you spend on a child, you're saving five to ten dollars a year on them, you know, statistically through the criminal justice system, and everything else. So, let's do it at least, not just say we do it.

P.O. CARACAPPA:

The floor is yours.

LEG. CARACCILO:

To Budget Review Office, is this a mandated expense?

MS. VIZZINI:

Yes, the Medicaid portion is a mandated expense.

LEG. CARACCILO:

Okay. I think that really sums up the issue, Mr. Chairman.

P.O. CARACAPPA:

Thank you, Legislator Caracciolo. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

You know, I know we had a real problem in past with Medicaid processing, and that because of the caseload being so high and the staff being so low, that there were people who were eligible for Medicaid reimbursement who weren't getting it and it's coming out of their pocket, or in some cases kids were going without medical care and that's what's really serious. And we talked about this in the last Operating Budget and this Number 44 I think came up. We ended up approving 25, and of that 25, I don't know how many people are actually now •• how many of those SCIN forms have been released and whether that delay in reprocessing has been •• yeah, has been shortened. I know that this is a •• this is a really •• it's frustrating issue and it's a difficult issue. I think it's important to know whether that time frame has been shortened, but I don't •• one of the things that the Commissioner had said at the time was that it took time to train people and that maybe six months or more before that actual waiting time would be decreased. So, I guess my first question is, this 44 is an old number, and maybe ••

LEG. TONNA:

No, no.

LEG. SCHNEIDERMAN:

•• Legislator Tonna can answer this. Is it really the difference between that 25 that we've already approved to 44, which would be 19 new people?

LEG. TONNA:

No.

LEG. SCHNEIDERMAN:

Or is this •• because I haven't heard a request for ••

LEG. TONNA:

No. The number •• the number is 44 plus 25, so I lowered it to 44 once we got the 25. So, it was what, 44 plus 25 is 69. So, it was 69 positions. I took the 25, which we put in the budget, and then I said, "Okay, now we only have to get it to 44." That's what Budget Review talked

about. So that •• it's 44 positions. And, by the way, some of these positions are training positions, so that the department can do what we're talking about, training people to get their •

- you know, to do these jobs correctly.

LEG. SCHNEIDERMAN:

And the funding for it, where would it come from?

LEG. TONNA:

Oh, Budget Review could answer that.

LEG. SCHNEIDERMAN:

All right.

LEG. TONNA:

I look to the geniuses on how we fund this.

LEG. SCHNEIDERMAN:

Okay.

LEG. TONNA:

I think it's turnover savings. No, I'm joking.

LEG. SCHNEIDERMAN:

Can I hear from Budget Review, just to make sure that the money's in the Operating Budget to cover it, because I had figured that we were going to do this ••

LEG. TONNA:

It's in.

LEG. SCHNEIDERMAN:

•• in at two•step process, and that we got 25 this year that's going to come back in the next Operating Budget for some more, so that people would have time to be trained and get up to speed. So, maybe Ms. Vizzini could answer the question of how it would be paid for.

MS. VIZZINI:

Yes. The offset is in the Operating Budget. We're using pay•as•you•go funding, which is operating monies, transferring it to Social Services.

LEG. TONNA:

And Mr. Levy has to know that he's supposed to fund government, okay, and the mandated programs first and poor children first.

LEG. SCHNEIDERMAN:

Right. Even if we do this, Legislator Tonna, what is the guarantee the that the County Executive will actually release these positions?

LEG. TONNA:

There's none.

LEG. SCHNEIDERMAN:

Okay.

LEG. TONNA:

But then we bust his chops every single day and tell him any time there's a little kid beaten up and they don't have the services, or anything else that takes place, then it's on his head, because this Legislator acted •• Legislature acted responsibly.

LEG. ALDEN:

We'll break his chops like we've been breaking his chops, Jay.

P.O. CARACAPPA:

Legislator Tonna, I had you next ••

LEG. TONNA:

Sorry.

P.O. CARACAPPA:

•• but I think you got your words in.

LEG. TONNA:

Yes.

P.O. CARACAPPA:

Yeah. Legislator Vilorio • Fisher.

LEG. VILORIO • FISHER:

Thank you, Mr. Chair. Ben, can we go back to the SCIN forms that you said have been released?

MR. ZWIRN:

Yes.

LEG. VILORIO • FISHER:

You said there were 18 ••

MR. ZWIRN:

There are 18 people ••

LEG. VILORIO • FISHER?

•• in the Department of Social Services?

MR. ZWIRN:

Eighteen people have actually been hired, there are bodies in those positions.

LEG. VILORIO • FISHER:

And what titles?

MR. ZWIRN:

I have a list of them I can provide for the Legislature.

LEG. VILORIO • FISHER:

Could you, please?

MR. ZWIRN:

Yes. And there's over 50 ••

LEG. VILORIA • FISHER:

Because if there is •• if there are services that are enumerated within this resolution, although they may not be the exact title, if we see that there have been SCIN forms signed in various divisions of the Department of Social Services that can achieve the goals that this resolution is trying to achieve, perhaps we could revisit this issue in the new Operating Budget, as Legislator Schneiderman suggested.

Secondly, Legislator Tonna, you know that when we needed to address the Child Protective Services, we •• I introduced a resolution to address that need. The number of •• Legislator Tonna.

LEG. TONNA:

Yes.

LEG. VILORIA • FISHER:

I was directing my comments to you.

LEG. TONNA:

Oh, sorry. Sure.

LEG. VILORIA • FISHER:

Thank you. When we had a backlog in cases in Child Protective Services ••

LEG. TONNA:

Right.

LEG. VILORIA • FISHER:

•• I introduced a resolution that brought the trainees up to where they needed to be. We hired people temporarily for six months. At this point, I don't think that the backlog is at the point that it was at that particular point in time when we were way behind.

LEG. TONNA:

Well, that's not what the Commissioner of Social •• I don't run the day•to•day Social Services.

LEG. VILORIA • FISHER:

We're not up to that ••

LEG. TONNA:

That's not what she says.

LEG. VILORIA • FISHER:

It's not up to that level at all, it's not even close, but I guess we could ask somebody from Social ••

LEG. TONNA:

She says she needs the positions. I mean, what do we need more?

LEG. VILORIA • FISHER:

Okay. I didn't want ••

LEG. TONNA:

Sorry.

LEG. VILORIA • FISHER:

•• to create a debate here.

LEG. TONNA:

Sorry.

LEG. VILORIA • FISHER:

I'm telling you we're not at that point of backlog.

LEG. TONNA:

You could say whatever you want.

LEG. VILORIA • FISHER:

Number two, we also have certain people •• Budget Review, when I've worked on •• when we've worked on the budget in the past and we've looked at the reimbursement levels, there are several titles here that I don't believe have the same level of reimbursement as Social Service Examiner I or a Caseworker. When you have a Casework Supervisor or an Assistant Division Administrator of Social Services, aren't those reimbursed at a different level because you have to have a certain ratio of Caseworkers and administrative positions?

MS. VIZZINI:

Yes, Legislator Viloria•Fisher, you're correct, different areas of the department will have different rates of reimbursement. If I could bring your attention to the Fiscal Impact Statement, it is detailed in terms of the gross cost each year, as well as the Federal and State Aid and the corresponding net cost. So, we've aggregated •• we've taken into consideration the reimbursement rate for the Medicaid versus the client benefits, etcetera.

LEG. VILORIA•FISHER:

All right. And the bottom line? I don't have that open.

LEG. FOLEY:

What's the net net.

MS. VIZZINI:

The 2006 gross cost is 2.5 million offset by Federal and State aid of 1.2 million, for a net cost of 1.3 million in '06. In '07 the gross cost would be projected to be 2.6 million, offset by 1.2 in aid, for a net cost of 1.3 million.

LEG. VILORIA•FISHER:

Although we're half way through the year?

MS. VIZZINI:

The 2005 cost?

LEG. VILORIA•FISHER:

Okay, the 2005 •• I don't have my backup here.

LEG. FOLEY:

It's 578,000.

MS. VIZZINI:

Five hundred and seventy•eight thousand?

LEG. FOLEY:

Two hundred and forty•seven.

MS. VIZZINI:

And half of that is offset.

LEG. VILORIA•FISHER:

Okay. So, it's 247,000? Gail, that's the net, bottom line net?

LEG. FOLEY:

Second "whereas" clause, Mr. Chairman.

LEG. VILORIA•FISHER:

Okay, thank you.

MS. VIZZINI:

I was reading from the fiscal.

LEG. FOLEY:

Third "whereas" clause, actually.

LEG. VILORIA•FISHER:

Because I don't have the fiscal here. Okay, I see. In the second "whereas" clause, Gail, the 578,247 is the gross •• no that's the net cost for the 44 positions.

P.O. CARACAPPA:

For 2005, 578,000.

MS. VIZZINI:

The gross •• the gross cost is the million that we're transferring, offset by the 522,000 in the Federal and State aid.

LEG. VILORIA • FISHER:

I see.

MS. VIZZINI:

The net County cost is 578,247.

LEG. VILORIA • FISHER:

The net is 578. Okay.

MS. VIZZINI:

Thank you, Brian.

LEG. VILORIA • FISHER:

Thank you, Gail.

P.O. CARACAPPA:

Legislator Binder.

LEG. BINDER:

Mr. Chairman, we're talking about putting people on the budget that, obviously, are not going to be filled by the end of the year. They're still in the middle of filling the ones that we're talking about that we put in the 25. So, I think this plays games with expectations for people that want services.

The other thing is I heard the sponsor talking about, you know, sunshine coming in Suffolk County for all these welfare recipients, all these people who need help. All of a sudden there are kids who are not going to go to jail, people who will eat would not eat otherwise, all these wonderful things are going to happen because we put 44 unfilled positions at a cost to our pay •as•you•go money at over a million dollars. That's absolutely ridiculous. So, if you think you're doing something here today with 44 positions, you're not. We're not accomplishing a thing. We're not going to change anything for the situation of anyone who's on welfare, or

anyone who needs or anyone in need.

The blame won't go to the County Executive if someone gets hurt and he hasn't •• and he only filled 19 of the 25 that we originally put in. That's not what this is about. It's not about laying blame, going after the County Executive. This is about either doing the right thing or wrong thing. Right now, our mission should be to make sure that the 25 we put in and focus on getting the County Executive to put those people in the proper position to do the proper job. And if we're going to do government, this 44 is not about government, it's about politics, so I guess we could pass that if we want, but I'm not going to be voting for it today.

P.O. CARACAPPA:

Legislator Lindsay.

LEG. LINDSAY:

Just going back to the Operating Budget of last fall, first of all, in general, I'm opposed to adding positions mid year. Issues like this should be adjusted at the time that we put together the Operating Budget.

Last year the Omnibus Committee added 25 positions to Social Services, and simultaneously we got a commitment from the County Executive, which I believe he kept, to fill 50 vacant positions. If we add the 44 positions today, we'd probably walk out of here feeling good about ourselves, because I don't think anybody wants to see abused kids or elderly, or anybody else, put in harms way, but fact of the matter is probably the positions aren't going to be filled. And all we're doing is adding another, what is it, a million dollars to turnover savings and taking money out of circulation. So, that's why I just think •• I just don't think that this is the proper time to do this.

P.O. CARACAPPA:

Thank you, Legislator Lindsay.

LEG. CARACCILO:

Mr. Chairman.

P.O. CARACAPPA:

Legislator Kennedy.

LEG. KENNEDY:

Mr. Zwirn, I guess I need to go ahead and ask a couple of more questions as far as ••

P.O. CARACAPPA:

Hold on a second, Legislator Kennedy. Go right ahead.

LEG. KENNEDY:

Fine. I need to ask a couple of more questions as to where things are at regarding the unfilled Social Service Department positions at this point, the SCINs, the illustrious SCINs, eighteen filled. How many yet to be filled?

MR. ZWIRN:

I have a list of the positions. Legislator Vilorio•Fisher asked me for them, I have them. I have some notes on them, I'll clean them up, but I have a list here of the 18 that have been filled, and they're all civil service positions. And I have a list of the ones where the SCIN forms have been signed, there are 51 that ••

LEG. KENNEDY:

There's 51 that have been signed? How long have they been there waiting to be signed?

MR. ZWIRN:

That I can't tell you, but they've probably been there for sometime. And the ones that were filled, it also takes time after they've been signed to fill them, I mean, because you have to make sure that there are people who qualify who've passed the test. So, as Legislator Lindsay and Legislator ••

LEG. KENNEDY:

Fifty•one have been signed. How soon will bodies go into those positions?

MR. ZWIRN:

I can't tell you. I don't think anybody can tell you precisely.

LEG. KENNEDY:

So, I'm in a personal quandary or a dilemma, because we talk about positions, we talk about SCIN forms, but we don't seem to be able to get any hard, firm answer about how bodies wind up in their department. That's the thing that I'm confused about.

MR. ZWIRN:

Well, once the SCIN forms are fine, it goes go through their civil titles, they go through civil service, they're check •• they check lists. If lists are not available, they have to •• the titles, there are people who are, you know, taking tests for those titles. There have to be people available to fill them. Sometimes they found other jobs in the interim. I mean, there's a process that it goes through and it's not •• it's not done immediately. I mean, if you have •• these positions here will not be filled, you know, today, I mean, they'll be filled over a period of time. It's part of the process.

LEG. KENNEDY:

I'm still struggling with how it is that we get from what I believe was a resolution, which is the Operating Budget, which expresses the will of the Legislature and the policy to put bodies in "X" number of positions, and, yet, six months into that operating year that's not happened.

P.O. CARACAPPA:

That's the way the Charter is set up, Legislator Kennedy, not to interrupt you, Mr. Zwirn.

MR. ZWIRN:

That's quite all right.

LEG. KENNEDY:

No, no, go ahead.

P.O. CARACAPPA:

That's the way the Charter is set up. The County Executive has the ultimate authority to sign those SCIN forms, not the County Legislature.

MR. ZWIRN:

And part of that is because he's the Budget Officer and there are times when you don't have the money to pay •• pay for the positions, so you don't •• you don't hire them. But, in this

particular case, positions have been signed, the SCIN forms have been fine, and they are in the process of hiring them.

LEG. KENNEDY:

One last point before I yield my time.

P.O. CARACAPPA:

Go right ahead.

LEG. KENNEDY:

And it is not an issue of money at this point, is it?

MR. ZWIRN:

No, not •• no, not certainly with the budgeted positions, no.

LEG. KENNEDY:

So a lot of those other things may or may not be in play, but we can't say at this point that positions are not filled for lack of resources or funding that was put forward to fill the bodies.

MR. ZWIRN:

I believe that's a fair statement.

P.O. CARACAPPA:

Just to finalize my point to you in answering your question, in a perfect world, the Legislature sets policy, the County Executive carries it out, but it doesn't always work that way.

MR. ZWIRN:

That's not a •• that's a perfect world according to the Legislature.

P.O. CARACAPPA:

Right, right.

LEG. KENNEDY:

Thank you. I, again, admit being a freshman. Thank you.

LEG. TONNA:

And to the Constitution.

P.O. CARACAPPA:

Yeah, I think that's the way the Constitution reads, too. Legislator Caracciolo.

LEG. CARACCILOLO:

Thank you, again. I was just going to add that Legislator Kennedy worked for many years in the County Clerk's Office, and I'm sure he's no stranger to the Executive prerogative, whether it be Mr. Gaffney or Mr. Levy. And that's what we're discussing today, is we can appropriate the positions, just like in a little while, we'll appropriate funding for a new Capital Program and Budget, really a plan. We won't spend one dime, but that's not what tomorrow's story will be by the County Executive. It will be something along the lines that the Legislature added 60 million dollars in the Capital Program and Budget.

So, I think you need to be aware, John, that, you know, people know how to twist words in this County government of ours very, very well; okay? But I'm not twisting words, I'm taking the words ••

LEG. MYSTAL:

No.

LEG. CARACCCILOLO:

Words of Mr. Zwirn and Mr. Bortzfield, when they came before the committee back in February and March and stipulated that the County Executive would be signing off on over 300 new employee SCIN forms. Those are the forms that allow the County to hire new personnel. The reality is the longer he takes to sign off on the SCIN forms, the greater the increase in turnover savings. And guess what? Where do you think the new salary contract for AME is coming from? Probably from part of that, part here, part •• things that are buried in the budget. Okay?

So, Mr. Lindsay pointed out that if County Executive doesn't follow through on the adoption of this resolution, we adopt it, but he doesn't go out and hire the individuals, what, in effect, takes place is we, the Legislature, are increasing turnover savings, but the money is coming from an

offset in the pay•as•you•go account. So, I'm not clear if that analogy makes any sense, because the money's already in pay•as•you•go. He's not spending pay•as•you•go money. So, one way or the other, that million dollars is going to be flush in the account somewhere and the people we need won't be hired, and the services that we promised the people of Suffolk County to provide won't be filled. That's what this issue is all about.

P.O. CARACAPPA:

Roll call.

LEG. TONNA:

Very well said.

LEG. NOWICK:

Joe, I just •• sorry.

P.O. CARACAPPA:

I didn't hear you. Legislator Nowick. Let's try and wrap this up.

LEG. NOWICK:

Yeah, okay. Just before I vote, because one side here I'm thinking one thing, I'm thinking another thing. Answer just one question so I understand where we're coming from. If we were to vote yes on this, those 44 positions are not going to be filled? That's what I want to know.

MR. ZWIRN:

I think that doing the timing ••

LEG. MYSTAL:

No.

LEG. NOWICK:

No. I mean ••

LEG. ALDEN:

Don't twist words, Ben, don't twist words.

LEG. NOWICK:

No, no, just yes or no, because I'm not sure how to vote and we're about to take a roll call. I need to know, are they going to be filled, or are we just putting aside money for something that is not going to be filled so we feel good?

LEG. MYSTAL:

They're not going to be.

MR. ZWIRN:

No twisted words.

LEG. BISHOP:

Correct, the latter.

LEG. TONNA:

He hasn't filled 700 positions that we said yes to.

MR. ZWIRN:

Legislator •• Legislator Caracciolo said that he would never twist words. However, Mr. Presiding Officer, I saw Legislator Schneiderman move three feet to the left in case the lightening came down and struck him. The fact is, is as a practical matter, it would be unlikely, I believe that these positions would be filled before the end of the year. But ••

LEG. TONNA:

Unless we bring in a lawsuit.

MR. ZWIRN:

But the money would be set aside, so that money would be frozen for those positions.

LEG. NOWICK:

And when would we use that, next year?

LEG. TONNA:

Get the positions, and then we bring a lawsuit.

MR. ZWIRN:

Well, I think the County Executive would prefer if that money •• if you were going to hire these people, the 44 positions for a year, that it would be done in the budget, so that the money would be provided to pay for their salaries.

P.O. CARACAPPA:

Well, Legislator Alden, go ahead.

LEG. ALDEN:

I have just one ••

LEG. MYSTAL:

I thought we were wrapping this.

LEG. ALDEN:

I have one quick question of Legislative Counsel. If these are mandated and we're not providing the service, what type of lawsuit is that called?

LEG. MYSTAL:

Frivolous.

LEG. ALDEN:

No, absolutely not.

MR. MONTANO:

Mandamus.

LEG. ALDEN:

Right, exactly right.

MS. KNAPP:

To the extent that proceeding against a government official who fails to perform their governmental duties is known as a mandamus proceeding.

LEG. ALDEN:

And in this instance, where it's mandated, would that be a proper action to bring?

LEG. TONNA:

They're a mandated program.

P.O. CARACAPPA:

Well, there was ••

LEG. TONNA:

These are mandated programs.

P.O. CARACAPPA:

There was one successful lawsuit, Romaine versus Halpin, along the same lines.

MS. KNAPP:

There have been lawsuits in the past, and depending upon the case that's made, lawsuits have been successful.

LEG. ALDEN:

It's a legitimate question that Legislator Mystal asked, is that frivolous, would that be a frivolous lawsuit? Will we be bordering on ••

LEG. TONNA:

It's not frivolous to the kids who need benefits.

MS. KNAPP:

If the record revealed that the Legislature had required the County Executive to take certain actions and the County Executive continually did not, no, it would not be a frivolous lawsuit.

LEG. ALDEN:

Thank you.

LEG. MYSTAL:

Continuously, continuously.

MS. KNAPP:

Yes, that's a •• you would have to look at the record.

P.O. CARACAPPA:

Okay.

LEG. MYSTAL:

The key word is "continuously".

MS. KNAPP:

You would have to look at the record.

LEG. MYSTAL:

That has not happened. It's not going to be a continuous thing, which is fine.

P.O. CARACAPPA:

Roll call.

LEG. MYSTAL:

Roll call.

(Roll Called by Mr. Barton, Clerk).

LEG. TONNA:

Yes.

LEG. O'LEARY:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

No.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

I want to feel good, yes.

LEG. NOWICK:

Pass.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Pass.

LEG. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

Yes.

LEG. TONNA:

Thank you.

LEG. VILORIA • FISHER:

No.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILO:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yes.

LEG. NOWICK:

Yes.

LEG. ALDEN:

Abstain.

MR. BARTON:

12.

LEG. TONNA:

Thank you very much.

P.O. CARACAPPA:

Moving on. 1147, I think there's a motion to table.

LEG. O'LEARY:

Motion.

P.O. CARACAPPA:

There's a motion to table?

LEG. FOLEY:

Motion to table.

LEG. MYSTAL:

What happened to 1129.

LEG. O'LEARY:

1129.

P.O. CARACAPPA:

1129 (Amending the 2005 Operating Budget to streamline and consolidate County government by eliminating the proposed separate Department of Environment and Energy). Oh, that's •• yeah, that's mine. Motion to table by myself, second by Legislator O'Leary. All in favor? Opposed? Abstentions? 1129 is tabled.

1147 (Amending the Suffolk County Classification and Salary Plan in connection with a New Position Title in the Department of Public Works).

MR. BARTON:

18 (1129).

P.O. CARACAPPA:

Motion.

LEG. BINDER:

Motion to table subject to call.

P.O. CARACAPPA:

Motion to table subject to call 1147 by Legislator Binder. Is there a second?

LEG. ALDEN:

Second.

P.O. CARACAPPA:

Second by Legislator Alden. All in favor? Opposed?

LEG. FOLEY:

Opposed.

P.O. CARACAPPA:

Opposed, Legislator Foley.

MR. BARTON:

17.

P.O. CARACAPPA:

Thank you. ***1190 (Approving the reappointment of Daniel McGowan as a member of the Suffolk County Board of Health).***

LEG. BINDER:

Motion to table subject to call.

P.O. CARACAPPA:

Same motion to table subject to call by Legislator Binder.

LEG. FOLEY:

Mr. Chairman.

P.O. CARACAPPA:

Let me finish. Second by Legislator Alden. On the motion, Legislator Foley.

LEG. MYSTAL:

Is that 1190?

P.O. CARACAPPA:

1190.

LEG. FOLEY:

Mr. Chairman, as the sponsor of the bill, I would make the motion to table. We've done this with other resolutions. Make it subject to call I think gives it a different connotation than it deserves. So, I would ask that the tabling motion subject to call be defeated, and I would make a motion to table until the ••

LEG. BINDER:

I'll change the motion to table.

LEG. FOLEY:

Thank you, Legislator Binder.

P.O. CARACAPPA:

There's a motion to table. Table subject to call has been withdrawn.

LEG. FOLEY:

Thank you.

P.O. CARACAPPA:

That motion was made by Legislator Foley, second by myself. All in favor? Opposed? Abstentions? 1190 is tabled again.

MR. BARTON:

17•1. (Not Present: Leg. Tonna)

P.O. CARACAPPA:

1268, 68A (Appropriating funds in connection with the purchase of equipment for Medical, Legal Investigations and Forensic Sciences (CP 1132). Motion to table by myself, second by Legislator O'Leary. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Same motion, same second, same vote on ***1273, 73A (Appropriating funds in connection***

with the purchase of equipment for the John J. Foley Skilled Nursing Facility (CP 4041).

MR. BARTON:

18.

LEG. LINDSAY:

Why are you opposed to bonding? On the question.

P.O. CARACAPPA:

Because it's very ••

D.P.O. CARPENTER:

Bonding.

P.O. CARACAPPA:

They're bonding very small amounts.

LEG. LINDSAY:

I see.

P.O. CARACAPPA:

1294, 94A (Amending the 2005 Capital Budget and Program and appropriating funds in connection with improvements to active parkland/recreation areas).

LEG. BISHOP:

On the motion. Did the Budget Review Office provide an offset yet?

P.O. CARACAPPA:

Is there a motion?

LEG. BISHOP:

I'm trying to find out if there's an appropriate offset.

P.O. CARACAPPA:

Can I ••

LEG. ALDEN:

Motion to table.

P.O. CARACAPPA:

Can we establish the motion first? On 94?

LEG. BISHOP:

Yeah. Motion •• all right. I'll assume they didn't, so I'll make a motion to table.

P.O. CARACAPPA:

Motion to table?

LEG. BISHOP:

But I want to ask my question.

P.O. CARACAPPA:

Second by Legislator Alden. On the motion, Legislator Bishop.

LEG. BISHOP:

This is the partnership money under the Greenways Program for an active recreational park, so that if the County buys the park and there's a partnership with the local government, there was a match grant program that we established four years ago and •• or five years ago. And I guess the Capital Program on that expired, and it was my intention, which I thought was noncontroversial, to renew the program, and Legislator Losquadro has joined me in that effort. But there has been a problem with the offset, and I've been trying to get Budget Review Office to give me an offset and I don't know what's going on.

MS. VIZZINI:

The offset in the current bill is 2 million dollars from the infrastructure improvements for traffic, public safety and public health.

LEG. BISHOP:

Is that the original offset or is ••

MS. VIZZINI:

No. The original offset was the jail.

LEG. BISHOP:

Right.

MS. VIZZINI:

This is ••

LEG. BISHOP:

That was the problematic offset.

MS. VIZZINI:

Right.

LEG. BISHOP:

I didn't ask for that, by the way, they chose that one.

MS. VIZZINI:

I was not aware that you were still not ••

LEG. BISHOP:

No. I might be fine, then.

P.O. CARACAPPA:

No, this new offset's problematic.

LEG. BISHOP:

Why is that? Why did you choose that offset? Is that money that's unlikely to be spent?

MS. VIZZINI:

At the time we chose the offset ••

LEG. BISHOP:

Not the jail, I'm talking about this one, the current one.

MS. VIZZINI:

Because it •• there was sufficient money in the capital project, there was no competing use for the available funds. However, I believe that has changed.

LEG. BISHOP:

That has changed, okay. So, is there an offset available for this initiative.

MS. VIZZINI:

Now that you have made me aware that you are seeking additional offset, I'll put my thinking cap on. But it is 2 million dollars, so I'll have to •• need some time on that.

LEG. BISHOP:

Okay. Thank you.

P.O. CARACAPPA:

Motion to table by the sponsor, second by myself. All in •• or Legislator Alden. All in favor? Opposed? Abstentions.

MR. BARTON:

18.

P.O. CARACAPPA:

1300 (A Local Law to strengthen the enforcement of penalties for substandard rental housing).

LEG. BISHOP:

I had a good offset for a moment and then it got used by ••

P.O. CARACAPPA:

I'll explain it to you in a minute. **1300.** Motion to table by myself, second by Legislator Montano. All in favor? Opposed? Abstentions? 1300 is tabled.

MR. BARTON:

18.

P.O. CARACAPPA:

1315 (To appoint member of County Planning Commission (Vincent Taldone)). Is there a motion?

LEG. BINDER:

Motion to table.

LEG. CARACCILO:

Motion to table.

P.O. CARACAPPA:

Motion to table by Legislator Binder, second by Legislator Caracciolo. All in favor? Opposed?

[OPPOSED SAID IN UNISON BY LEGISLATORS]

Just raise your hand in opposition for the Clerk, please. 1315,
Mr. Taldone.

LEG. MYSTAL:

Just ••

LEG. BISHOP:

Opposed.

LEG. MYSTAL:

Sandy, just do the Democrats, make it easier on you.

MR. BARTON:

12.

P.O. CARACAPPA:

It's tabled. ***1328 (To establish a Signage Program for all County Environmental Preservation Projects).***

LEG. CARACCILO:

Motion to table.

LEG. O'LEARY:

Second.

P.O. CARACAPPA:

Motion to table by the sponsor, second by Legislator O'Leary. All in favor? Opposed? Abstentions? 1328's tabled.

MR. BARTON:

18.

P.O. CARACAPPA:

1380 (Amending the 2005 Adopted Budget to reallocate New York State Office of Alcoholism and Substance Abuse Services (OASAS) funding for programs administered by the Town of Islip).

LEG. ALDEN:

Motion to approve.

P.O. CARACAPPA:

Motion to approve by Legislator Alden, second by Legislator Foley. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Moving on, Page 10.

LEG. SCHNEIDERMAN:

Motion to take ***1474 (Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Clark's Beach property) Town of Southold)*** out of order.

P.O. CARACAPPA:

There's a motion to take 17 •• 1474 out of order.

D.P.O. CARPENTER:

Why?

LEG. TONNA:

Excuse me, Henry. On 1190 ••

MR. BARTON:

You abstained.

LEG. SCHNEIDERMAN:

It's environment. That's the Clarks Beach.

LEG. TONNA:

•• I abstained. Thank you.

LEG. MYSTAL:

Why, why, why, why, why?

LEG. SCHNEIDERMAN:

So, to release the Mayor of the Village.

LEG. CARACCILOLO:

Thank you, Jay.

LEG. VILORIA • FISHER:

I'll second it.

LEG. MYSTAL:

What's the urgency?

LEG. SCHNEIDERMAN:

So the Mayor can go back to Greenport.

LEG. MYSTAL:

Oh, the Mayor is here. Oh, I'm sorry.

LEG. VILORIA • FISHER:

I'll second the motion.

LEG. MYSTAL:

Okay.

P.O. CARACAPPA:

There's a motion and second. Is there any other motion? All in favor? Opposed?

[OPPOSED SAID IN UNISON BY LEGISLATORS]

Raise your hands.

LEG. BISHOP:

On what? What are we ••

P.O. CARACAPPA:

This is to take a bill out of order.

LEG. MYSTAL:

Which bill, which one?

P.O. CARACAPPA:

1474.

LEG. SCHNEIDERMAN:

I'd actually like **1625**, which is WJF, too, out of order.

LEG. FOLEY:

Forget about it, no.

LEG. MYSTAL:

Where is it?

P.O. CARACAPPA:

Keep your hands raised if you're opposed.

LEG. COOPER:

What is it?

P.O. CARACAPPA:

Taking Clarks Beach planning steps out of order.

LEG. COOPER:

Opposed.

LEG. TONNA:

Why?

LEG. SCHNEIDERMAN:

So that the Mayor of Greenport can go back to Greenport.

LEG. BISHOP:

Why shouldn't he suffer like the rest of us?

P.O. CARACAPPA:

What do you have, Mr. Clerk.

LEG. SCHNEIDERMAN:

It was courtesy.

MR. BARTON:

12.

P.O. CARACAPPA:

Okay, it's before us.

LEG. CARACCILO:

Motion.

P.O. CARACAPPA:

Motion by Legislator Caracciolo to approve planning steps, 1625, second by Legislator Schneiderman and Carpenter. All in favor? Opposed? Abstentions?

LEG. BINDER:

Abstain.

P.O. CARACAPPA:

One abstention, Legislator Binder.

LEG. ALDEN:

Motion to take 1426 out of order.

MR. BARTON:

17.

P.O. CARACAPPA:

1474, I'm sorry. It was 1474.

MR. BARTON:

1474, I have 17.

P.O. CARACAPPA:

Someone's handing me notes with a bunch of different numbers on it.

LEG. SCHNEIDERMAN:

A motion to take 1625 as well.

MR. BARTON:

Legislator Montano, you're a no on that? Okay.

LEG. LINDSAY:

Put me down as a no, too.

MR. BARTON:

Okay.

P.O. CARACAPPA:

Can we have some order, so the Clerk can get some vote counts here?

MR. BARTON:

On 1474, anybody else?

LEG. MONTANO:

1474, to buy the beach?

LEG. LOSQUADRO:

Clarks Beach, the planning, just planning steps.

LEG. SCHNEIDERMAN:

Planning steps.

MR. BARTON:

15•2, 1 abstention.

P.O. CARACAPPA:

It's approved.

LEG. ALDEN:

Motion to take 1426 out of order.

P.O. CARACAPPA:

Which is?

LEG. ALDEN:

It's Earth Day, Green Earth Week.

LEG. MYSTAL:

What's the reason?

LEG. ALDEN:

Let's get this over with.

P.O. CARACAPPA:

It fails for ••

LEG. SCHNEIDERMAN:

I asked •• as a courtesy to a public official, I asked to take that out of order.

P.O. CARACAPPA:

It fails for lack of a second. Okay.

LEG. SCHNEIDERMAN:

Please, let's not make it silly.

P.O. CARACAPPA:

Ad hoc on ••

LEG. ALDEN:

Oh, right.

D.P.O. CARPENTER:

We did that already.

LEG. ALDEN:

And yours isn't.

AD HOC ON WORKFORCE HOUSING

P.O. CARACAPPA:

Ad hoc on workforce housing. Ad hoc on •• motion by •• ***1384 (Authorizing the sale of County•owned real property pursuant to Section 72•h of the General Municipal Law to the Town of Brookhaven for affordable housing purposes)***. Is there a motion to table?

LEG. O'LEARY:

Motion to table.

P.O. CARACAPPA:

For one cycle.

LEG. O'LEARY:

One cycle.

LEG. FOLEY:

Explanation.

LEG. ALDEN:

Second.

LEG. O'LEARY:

Yeah, certainly. One of the concerns I had is that I certainly approve of affordable housing, the 72h concept. However, I'm concerned that this will go forward without a notification made to the individual Legislator whose district these initiatives are in. So, I had asked the people from Real Estate to contact my offices with respect to these two initiatives and to date I have not heard from them.

So, I would ask to table for one cycle, and, also, to perhaps have a working agreement in place

that when the issues of this nature come before us, that the Legislator whose district it is in should be notified well in advance of coming before this body.

LEG. FOLEY:

Just to take that one step further, Mr. Chairman, and it certainly is fair, but I would also make mention of the fact that many a time, and it's not just this township, but other townships, nor do the townships make the local either Councilperson or Legislator aware of the Town's intentions with properties either. So, your point is well taken on the County level, but I think we should ask the same of the towns, when they're interested in County properties, to alert not only the County Executive, but also to alert the Legislator who represents that particular Legislative district as well. Because, as you know, the first step ••

P.O. CARACAPPA:

Or villages.

LEG. FOLEY:

Or villages, because the first step in moving forward with these projects is to have a letter of interest, either from the village or from the township. So, the point's well taken as to local Legislators being apprised of an interest by the localities, along with the County Executive's Office.

P.O. CARACAPPA:

Very good. So, there's a motion to table 1384 for one cycle and a second. You have the ••

LEG. ALDEN:

Second.

P.O. CARACAPPA:

All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1611 (Authorizing the sale of County•owned real property pursuant to Section 72•H of the General Municipal Law to the Town of Brookhaven for affordable housing purposes) is the same story?

LEG. O'LEARY:

Same story. Same motion, please.

P.O. CARACAPPA:

Same motion, same second, same vote.

MR. BARTON:

18.

BUDGET AND FINANCE

LEG. BISHOP:

Where are we?

P.O. CARACAPPA:

Budget and Finance ***1174 (Amending the 2005 Operating Budget and transferring funds from Social Security to appropriate funds for the Community College Tuition Assistance Program for volunteer ambulance workers and firefighters).***

LEG. CARACCILO:

Motion.

P.O. CARACAPPA:

Motion by Legislator Bishop, second by Legislator Caracciolo on 1174. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Abstain.

MR. MONTANO:

Abstain.

P.O. CARACAPPA:

One •• abstain, Legislator Montano, Legislator Alden.

MR. BARTON:

16.

P.O. CARACAPPA:

1438 (Amending the 2005 Operating Budget and transferring funds for Youth Experiencing Art (YEA) needs to be tabled. It was amended. It will be dealt with at the next meeting.

LEG. ALDEN:

Motion to table.

P.O. CARACAPPA:

Motion to table by Legislator Alden, second by myself. All in favor? Opposed? Abstentions?
1438 is tabled.

MR. BARTON:

18.

P.O. CARACAPPA:

1439 (Amending the 2005 Operating Budget and transferring funds for certain contracted agencies).

LEG. NOWICK:

Motion.

P.O. CARACAPPA:

Motion by Legislator Nowick, second by Legislator Kennedy. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1468 (Amending the 2005 Operating Budget and transferring funds for various Community Based Contract Agencies). Motion by Legislator Caracciolo, second by Legislator Schneiderman. All in ••

LEG. FOLEY:

Explanation, please.

P.O. CARACAPPA:

Okay. Explanation, Counsel.

MS. KNAPP:

This is various contract agencies that Legislator Caracciolo, I believe, are all in his district.

P.O. CARACAPPA:

They're for ••

LEG. CARACCIOLO:

These are Legislative member ••

P.O. CARACAPPA:

Lifeline Mediation, Middle Island Caring for Kids, Friends of Karen, and Peconic Community Council.

LEG. CARACCIOLO:

Correct.

LEG. LINDSAY:

Mr. Chairman, if I may be heard.

P.O. CARACAPPA:

Yes, you could. These are omnibus monies?

LEG. CARACCILOLO:

These are omnibus monies, same as everybody else on the horseshoe.

P.O. CARACAPPA:

Understood. Legislator Lindsay.

LEG. LINDSAY:

I think the problem with this is when we do the Operating Budget in the Fall, most of us allocate the money to where we want it to go then. Some of us don't do that and the money kind of gets lost in the shuffle somewhere along the line. There's differing opinions of whether some of the offsets are being overspent, and whether somebody is double•dipping or not. And I'm not saying these resolutions fit that category, but the accounting starts to get a little bit fuzzy. And it's my hope that when we do the Operating Budget this year, that all the appropriations are designated at the time of the Operating Budget.

LEG. BISHOP:

May I suggest that we take this up after lunch and get a ••

LEG. CARACCILOLO:

Mr. Chairman.

LEG. BISHOP:

Just get a report from the BRO on this specific offset?

LEG. COOPER:

Good idea.

P.O. CARACAPPA:

This is exactly like Legislator Lindsay said, some Legislators didn't participate in, I guess, an overall account for certain contract •• contracted agencies within our districts, which we usually do in a couple of phases throughout the year. There's one on today's budget for Phase II of transferring contingent funding for various contract agencies. Hopefully, we can do it in one package next year to avoid this type of confusion. But from what I'm told, this isn't a double

•dip, this isn't going over and above any allocated dollars that any other Legislator had for very important contract agencies within their district, so I don't see the need for holding it up.

LEG. BISHOP:

Can I just explain what we believe happened?

LEG. CARACCILOLO:

Mr. Chairman, as the sponsor of the resolution, let me just, as a point of clarity, point out that typically in my district, what we do in my office is we solicit from community organizations and many of them write to us during the course of a year in consideration of County funding or grants, and that's what this program is about, this \$200,000. We then maintain that list, we review them, we make certain that they qualify under existing County criteria. We check with the various departments in County government to see if they've been past recipients, and if they've spent the money according to their previous desire or plan that they were going to spend the money, make sure that they're in complete compliance, and then we allocate the funding.

What we don't know in November, when we adopt next year's Operating Budget, is all of the agencies that may qualify for funding.

I have a very large district geographically, a number of different organizations, probably more than most of the other Legislative districts, simply because of the four towns I represent and the different interest groups in those four towns. So, we want to •• we want to be very careful that when we review those applications that we give everybody an opportunity that may have applied in the past to be eligible for funding in the future. We then contact Budget Review, which we did in this instance, and we request where can we allocate the money in the Operating Budget, the '05 budget, so that when it's time to draw down from a fund, we can do so. They identified this title as a place to put the money. In the future, what we'll do, and I would suggest to others, is we just set up a Legislative district initiative budget line.

P.O. CARACAPPA:

That's what we have.

LEG. CARACCILOLO:

And put the money in there by district number, so that when we have occasions like this and

the money needs to be drawn down, they're readily identifiable by that means.

P.O. CARACAPPA:

I think we have that now, not district specific, but we could deal with it in omnibus, Operating I might add. It's just being requested to Legislators in the upcoming budget process that we don't go looking for, you know, helicopter marine squadron accounts to hide money in. We have four chances throughout the year to deal with the funding in our district, and as agencies come forward throughout that year, we can draw down on the allocated dollars for your district four times. Just as I said, we do Phase I, II, III and IV, and it gives you ample opportunity to deal with those agencies within your district and to get them the funding by the end of the year, and just having it in separate accounts gets a little confusing.

LEG. CARACCILOLO:

I would just add, Mr. Chairman, in response to your remarks, there was no attempt to hide money anywhere. This was clearly a place the money was put, at the suggestion of the Budget Review Office, by title, so every member of the Legislature would know that it was from my district, because I have continually funded the Marine Helicopter Squadron Program. So, that's •• what are you laughing at, Dave?

LEG. BISHOP:

There's no such ••

LEG. CARACCILOLO:

I mean, that's the record; okay?

LEG. BISHOP:

I thought there was •• I was under the impression there's no such program.

LEG. CARACCILOLO:

So, I really take issue with any characterization about trying to hide money. Nobody was trying to hide money. Everybody in this Legislature ••

P.O. CARACAPPA:

It's a poor choice of words.

LEG. CARACCILOLO:

Okay.

LEG. BISHOP:

All right.

P.O. CARACAPPA:

I take it back. Legislator Bishop.

LEG. BISHOP:

The objection that Legislator Lindsay is raising is, and it may not be an objection, it's just we ••

LEG. MYSTAL:

A suggestion.

LEG. BISHOP:

It's not even a suggestion. We want more information. To show you that Legislator Mystal is rubbing off on me, it seems that Republicans don't know how to spend money. When you •• most of us allocate it at the time, obviously, when we did the Operating Budget. There are a couple of members, Legislator Caracciolo, there may be another one, who parked their money in a budget line.

LEG. TONNA:

The guy who budgeted the statute of Robert Moses, he's telling about spending money?

LEG. ALDEN:

Yeah.

LEG. BISHOP:

Well, I know how to spend money for the benefit of the County. But the ••

LEG. TONNA:

Oh, yeah.

LEG. BISHOP:

They park their money in this budget line, which was called what, Marine ••

P.O. CARACAPPA:

Helicopter Squadron.

LEG. BISHOP:

•• Helicopter Squadron, right? And how much was parked there and how much is being drawn down? The suggestion that Legislator Lindsay is raising is that more is being drawn down than was deposited. Therefore, it's being overspent and somebody's double•dipping. That's the issue that he's raising. And it wouldn't be sponsor who's the double•dipping, it's somebody else that's using your line.

P.O. CARACAPPA:

Let's clear this up real quick.

LEG. CARACCILOLO:

Yeah.

P.O. CARACAPPA:

Ms. Vizzini.

MS. VIZZINI:

Yes.

LEG. BISHOP:

A challenge for you on your ••

LEG. MYSTAL:

On her debut.

LEG. BISHOP:

On your debut.

MS. VIZZINI:

Legislator Caracciolo's omnibus money was the same as anyone else's.

LEG. BISHOP:

Correct. I hope so.

MS. VIZZINI:

There was \$200,000 in the Marine Helicopter Squadron, and the remainder was allocated to specific agencies.

LEG. BISHOP:

Okay.

MS. VIZZINI:

The resolution that's before you takes that \$200,000 and allocates it to the other agencies.

LEG. BISHOP:

Let me •• let me do it this way. When the County Executive proposed a budget last year, what was in the line that said "Marine Helicopter Squadron"?

MS. VIZZINI:

Three hundred thousand dollars.

LEG. BISHOP:

Okay. When we were done with it, what was in the line?

MS. VIZZINI:

Oh, no, I'm sorry.

LEG. BISHOP:

When the County Executive proposed ••

P.O. CARACAPPA:

What was proposed under Marine Helicopter Squadron?

MS. VIZZINI:

I'm not 100% sure, I have to check the budget. But when we were done with it, after it was adopted, is that what you're talking about?

LEG. BISHOP:

Yeah. He proposed, let's say it was zero, when we were done with it, there was \$250,000 in there.

MS. VIZZINI:

No, there was ••

P.O. CARACAPPA:

It was 300.

LEG. BISHOP:

Well, 300, whatever the number.

MS. VIZZINI:

Actually, \$350,000.

LEG. BISHOP:

Okay.

MS. VIZZINI:

The additional \$100,000 is •• was an error, but it is money that is in the adopted budget.

LEG. BISHOP:

It was an error?

MS. VIZZINI:

Yes, it was an error compounded by •• the data that we were given from The County Executive's Office had •• the Marine Helicopter Squadron is funded in the General Fund and in Fund 625, and this is, I believe, contributing to the confusion. Not only •• and there's an extra \$100,000 in 625, which is the Airport Fund.

LEG. BISHOP:

Right.

MS. VIZZINI:

The recommended budget had come up with •• that they were spend •• they were going to be spending \$50,000. And, if you remember, we brought every contract agency up to what they had spent in '04. Further compounding it is we used to have desires to have a Division of Aviation. So, there was two lines, Aviation and Economic Development, each \$50,000. When all was said and done, the \$50,000 became \$100,000, so that's the \$100,000 that we're using as offsets.

LEG. BISHOP:

All right. Let me •• boy, that's as clear as mud. The amount that was actually envisioned by the Executive Branch to fund helicopters and people that work on helicopters, and so on, was "X" amount. We'll call it 100,000. I don't know what the actual amount is. Then the Legislature put money in there above that amount, which really wasn't for helicopters and people that work with helicopters, but was for items to be determined later on. That amount we'll call "Y". I want to get at what the "Y" is. When we get the "Y" amount, then we know how much can be drawn down from without violating our understandings with each other. Who's on first? Thank you.

P.O. CARACAPPA:

Why are you asking questions?

LEG. CARACCILO:

Mr. Chairman.

LEG. BISHOP:

Because we ••

P.O. CARACAPPA:

That was directed to Budget Review.

D.P.O. CARPENTER:

Move the question.

P.O. CARACAPPA:

We'll wait for them to ••

LEG. BISHOP:

I'll wait until after lunch. That's why I suggest we get them •• let them do their thing and get back to ••

LEG. ALDEN:

Let's get their thing right now.

P.O. CARACAPPA:

All right.

MS. VIZZINI:

I did my thing.

P.O. CARACAPPA:

Yeah, okay.

MS. VIZZINI:

There's \$350,000 total in the adopted budget from the Marine Helicopter Squadron. Two hundred and fifty is in the General Fund.

P.O. CARACAPPA:

That we already appropriated, yeah, but that ••

MS. VIZZINI:

Okay? The other \$100,000 is in Fund 625 and we were •• we are drawing down on that for Resolution 395 for the Echo Doppler Machine, Resolution 137 for the Suffolk County Coalition for Domestic Violence, and Resolution 146, for the Memorial Day observations. We realized it was a \$100,000 mistake, but it serves its purpose as an offset.

LEG. BISHOP:

Okay. Now I think I got it. So, it's the Echo Doppler, the Memorial Day observation, and what's the third item?

MS. VIZZINI:

Suffolk County Coalition Against Domestic Violence.

LEG. BISHOP:

Okay. And all of those items, that's not •• Legislator Caracciolo should have his opportunity before those items drew down, that's the issue.

MS. VIZZINI:

Legislator Caracciolo's money is in the General Fund.

LEG. BISHOP:

Okay. I thought I understood. And I will stop now, because it's ••

D.P.O. CARPENTER:

Good, good thinking.

P.O. CARACAPPA:

All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

That was great a debate there. ***1473 (Amending the 2005 Operating Budget to provide funding for Crime Stoppers of Suffolk County, Inc.).*** Motion by Legislator O'Leary.

LEG. FOLEY:

Second.

P.O. CARACAPPA:

Second by Legislator Foley. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1475 (Amending the 2005 Operating Budget and transferring funds for certain contracted agencies). Motion by Legislator Schneiderman.

LEG. LINDSAY:

Is this the same situation?

LEG. FOLEY:

Same situation.

LEG. SCHNEIDERMAN:

Same situation.

P.O. CARACAPPA:

Same situation, Budget Review?

LEG. CARACCILO:

1475?

MR. SPERO:

This is for Legislator Schneiderman's contract agency.

MS. VIZZINI:

This is all contained within the omnibus money. It's mostly a change of name and a corresponding transfer of funds.

P.O. CARACAPPA:

Motion by Legislator Schneiderman, second by Legislator Caracciolo. All in favor? Opposed?

Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1476 (Amending the 2005 Operating Budget and transferring funds to the Brentwood Historical Society). Motion by Legislator Alden, second by Legislator Montano. All in favor?

LEG. LINDSAY:

Same thing?

P.O. CARACAPPA:

Same thing? Budget Review, yes?

MS. VIZZINI:

Yeah, this is within.

P.O. CARACAPPA:

All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1477 (Amending the 2005 Operating Budget and transferring funds for various contracted agencies). Same motion, same second.

LEG. CARACCILOLO:

Same thing?

MS. VIZZINI:

Yes.

P.O. CARACAPPA:

Same vote.

MR. BARTON:

18.

P.O. CARACAPPA:

1541 (Amending the Adopted 2005 Operating Budget and transferring funds to the Downtown Revitalization Program (CP 6412) and Department of Health Services for water quality testing at Lake Ronkonkoma). Motion by Legislator Alden, second by myself.

LEG. LINDSAY:

What is •• explanation.

P.O. CARACAPPA:

On the motion ••

LEG. KENNEDY:

Henry, cosponsor.

LEG. MYSTAL:

Explanation on that one.

P.O. CARACAPPA:

On the motion.

LEG. ALDEN:

Well, actually, I'll just give a little explanation.

P.O. CARACAPPA:

Go ahead.

LEG. ALDEN:

This is omnibus money, and we're going to use it to test the water over at Lake Ronkonkoma.

LEG. MYSTAL:

It's your money.

LEG. ALDEN:

My omnibus money, right.

LEG. BISHOP:

You had put into a certain project, you're moving from that •• that project to this; is that it?

LEG. ALDEN:

Wherever Budget Review recommended for me to put the money in omnibus, then I'm moving it out of that into this project.

LEG. BISHOP:

This was park money.

LEG. MYSTAL:

Park money.

P.O. CARACAPPA:

Same thing. I think what we're seeing, I think, when we go into this budget process this year, we're going to try desperately not to create this parking lot.

LEG. BISHOP:

Right.

LEG. ALDEN:

Just one other comment, too, and I'm glad Legislator Bishop brought it up, because Legislators, some Legislators try to adhere to the number that was established in the omnibus, and Legislator Bishop has identified that other Legislators went and took mistakes and other type of offset and spent more money. So, those are some things that have to be looked at, too.

P.O. CARACAPPA:

There's a motion and a second. All in favor?

LEG. VILORIA • FISHER:

Mr. Chair, on the motion.

P.O. CARACAPPA:

On the motion, Legislator Viloria Fisher.

LEG. VILORIA • FISHER:

I just wanted to mention that in this resolution, Legislator Alden, it's very clear that it was other projects in your area that you drew down for this project, right?

LEG. ALDEN:

No.

LEG. VILORIA • FISHER:

It's just transferring? I'm just saying it looks like it was done very clearly in this one.

P.O. CARACAPPA:

Transferring funds.

LEG. VILORIA • FISHER:

Yeah.

P.O. CARACAPPA:

Yep.

LEG. VILORIA • FISHER:

It was a compliment, Cameron.

LEG. COOPER:

Just say thank you, Cameron.

P.O. CARACAPPA:

Take it and run, Cameron.

LEG. ALDEN:

I don't know.

P.O. CARACAPPA:

Yeah, it's hard to tell lately. All in favor?

LEG. ALDEN:

Thank you.

P.O. CARACAPPA:

Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1575 (Amending the 2005 Operating budget and transferring funds to the Suffolk County Police Museum and the Village of Bellport). Motion by Legislator O'Leary.

LEG. FOLEY:

Second.

P.O. CARACAPPA:

Second by ••

LEG. LINDSAY:

Same situation?

LEG. MONTANO:

If I may.

LEG. O'LEARY:

Same situation.

P.O. CARACAPPA:

Second by Legislator Foley. Same situation, Budget Review?

MS. VIZZINI:

Are we on 1575?

P.O. CARACAPPA:

Yes, ma'am.

MS. VIZZINI:

Yes, that's within.

P.O. CARACAPPA:

Okay. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1579 (Transferring contingent funding for various contract agencies (Phase II)).

Anyone want to disagree with this one?

LEG. CARACCILO:

Same situation?

P.O. CARACAPPA:

Yeah, it's ••

D.P.O. CARPENTER:

No.

P.O. CARACAPPA:

No.

LEG. CARACCILO:

Oh.

P.O. CARACAPPA:

This Phase II of all 18.

LEG. MYSTAL:

That's park number two.

P.O. CARACAPPA:

Yeah. All in favor? Motion by myself, second by Legislator Lindsay. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1603 (Resolution of the County of Suffolk, New York, rescinding the Bond Resolution adopted March 23, 2004, which authorized the issuance of \$65,000,000 bonds to finance the payment of amounts outstanding for 2004 retirement contributions of said County in excess of seven percent of payroll (Res. 246•2004).

LEG. CARACCILOLO:

Motion.

LEG. ALDEN:

Motion.

LEG. O'LEARY:

Second.

P.O. CARACAPPA:

Okay. Motion by Legislator Caracciolo, second by Legislator Alden. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

ECONOMIC DEVELOPMENT, HIGHER EDUCATION AND ENERGY

P.O. CARACAPPA:

Economic Development, Higher Education and Energy. ***1445 (Approving the appointment of Gioacchino Balducci as a member of the Suffolk County Motion Picture/Television Film Commission).***

LEG. FOLEY:

Motion.

LEG. SCHNEIDERMAN:

Motion.

P.O. CARACAPPA:

Motion by Legislator Foley, second by Legislator Schneiderman. All in favor?

LEG. LINDSAY:

Only if you can pronounce the name.

P.O. CARACAPPA:

Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Gioacchino Balducci.

LEG. LINDSAY:

All right. That passes.

P.O. CARACAPPA:

1446 (Approving the appointment of Steven Taub as a member of the Suffolk County Motion Picture/Television Film Commission). Same motion, same second, same vote.

MR. BARTON:

18.

P.O. CARACAPPA:

1460 (Amending the 2005 County Operating Budget and 2004 • 2005 Community College Operating Budget transferring funds for Suffolk Community College Downtown Center, Riverhead).

LEG. NOWICK:

Motion.

P.O. CARACAPPA:

Motion by Legislator Nowick, second by Legislator Caracciolo and Carpenter. All in favor?

LEG. LINDSAY:

Explanation.

P.O. CARACAPPA:

Explanation for Legislator Lindsay, please.

D.P.O. CARPENTER:

Same as Sayville, only it's Riverhead.

LEG. LINDSAY:

Okay. Very good.

MR. SPERO:

Mr. Chairman.

P.O. CARACAPPA:

That was good. Who's •• where did I hear that from?

LEG. O'LEARY:

This should be tabled.

P.O. CARACAPPA:

Oh, it should be tabled?

D.P.O. CARPENTER:

Why?

LEG. CARACCILOLO:

Yeah, I'll make a motion to table, Mr. Chairman.

LEG. O'LEARY:

Second.

LEG. CARACCILOLO:

We'll have to make one correction.

P.O. CARACAPPA:

Motion to table, Legislator Caracciolo.

LEG. O'LEARY:

Second.

LEG. CARACCILOLO:

Second by myself. All in favor?

LEG. O'LEARY:

All right.

P.O. CARACAPPA:

Opposed? Abstentions? Not the same as Sayville.

MR. BARTON:

18.

P.O. CARACAPPA:

1461 (To promote economic development and a cleaner environment by establishing a County policy to encourage the manufacture of bio • diesel). Motion by Legislator Vilorio • Fisher, second by Legislator • •

LEG. LOSQUADRO:

Second.

P.O. CARACAPPA:

• • Losquadro. All in favor? On the motion, Legislator Losquadro.

LEG. LOSQUADRO:

I just want to confirm with the Clerk that I'm listed as a cosponsor on this bill, Mr. Clerk.

MR. BARTON:

You certainly are now.

LEG. CARACCIOLO:

Same here, Henry.

LEG. COOPER:

And Henry, me • • me as well, Henry.

LEG. ALDEN:

Hey, how about me?

LEG. SCHNEIDERMAN:

Yeah, Henry, put me down as well, too.

LEG. COOPER:

You got me over there, I think.

MR. BARTON:

Yes.

P.O. CARACAPPA:

Cosponsor everyone but me.

MR. BARTON:

Oh, Binder. Yeah, why not?

LEG. SCHNEIDERMAN:

Henry, put me down, too.

D.P.O. CARPENTER:

Yeah, yeah, yeah.

P.O. CARACAPPA:

All favor? Opposed? Abstention?

MR. BARTON:

18.

P.O. CARACAPPA:

1494 (Accepting and appropriating a grant award from the State University of new York for a Community College Workforce Development Training Grants Program for Maran Corporate Risk Associates, Inc. 90% reimbursed by State funds at Suffolk County Community College).

LEG. NOWICK:

Henry.

D.P.O. CARPENTER:

Motion.

P.O. CARACAPPA:

And it's early still.

LEG. FOLEY:

Motion, Mr. Chairman.

P.O. CARACAPPA:

Motion by Legislator •• I heard it first on my left, Legislator Carpenter, second by Legislator Foley. All in favor? Opposed? Abstentions? 1509, 09A.

MR. BARTON:

18.

P.O. CARACAPPA:

(1509, 1509A • Appropriating funds in connection with the fire sprinkler infrastructure • Ammerman Campus (CP 2129). Motion by Legislator Foley, second by Legislator Carpenter. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. FOLEY:

Yes.

D.P.O. CARPENTER:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yeah.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCIOLO:

Yes.

P.O. CARACAPPA:

Yep.

MR. BARTON:

18 on the bond. Same motion, same second, same vote on the companion resolution.

1510, 1510A (Appropriating funds in connection with improvements/replacements to roofs at various buildings • College wide (CP 2137). Motion by Legislator Nowick, second by Legislator Carpenter. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. NOWICK:

Yes.

D.P.O. CARPENTER:

Yes.

LEG. COOPER:

Yep.

LEG. TONNA:

Yep.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILO:

Yes.

P.O. CARACAPPA:

Yep.

MR. BARTON:

18 on the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution.

1511, 11A (Appropriating funds in connection with waterproofing building exteriors (CP 2177). Motion by Legislator Nowick, second by Legislator Foley. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. NOWICK:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILOLO:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yep.

MR. BARTON:

18 on the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution. **1562 (Approving the appointment of Susan Gatti as a member of the Suffolk County Motion Picture/Television Film Commission).** Motion by Legislator Carpenter, second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1607 (Approving the appointment of Campbell Dalgish as a member of the Suffolk County Motion Picture/Television Film Commission). Motion by Legislator Foley, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1614 (Appropriating the fund balance for fiscal year ending 2003 • Hotel/Motel Tax).

LEG. CARACCILOLO:

On the motion.

P.O. CARACAPPA:

1614, can I establish a motion first?

LEG. CARACCILOLO:

Yeah, yeah.

P.O. CARACAPPA:

Motion by myself.

LEG. ALDEN:

Second.

P.O. CARACAPPA:

Second by Legislator Alden. On that motion, Legislator Caracciolo.

LEG. CARACCIOLO:

Yes. The agenda reflects that this is a fund balance for '03 hotel/motel tax, and the resolution on today's electronic agenda refers to it as a mortgage tax.

LEG. ALDEN:

On your house.

LEG. CARACCIOLO:

And it relates to a report by the recording officer and the County Treasurer. So, which is it? 1614, is that the right number?

MS. VIZZINI:

The on•line resolution is 1614 of '04. I think that's part of the problem.

LEG. VILORIA•FISHER:

Oh, okay.

LEG. CARACCIOLO:

So, is the agenda wrong, the title on the agenda?

MS. VIZZINI:

No. There is a bona fide Resolution 1614 that ••

LEG. CARACCIOLO:

On the screen there's a ••

P.O. CARACAPPA:

Madam Chair of Economic Development, this was on your agenda?

LEG. CARACCIOLO:

I understand that, that's the wrong resolution. That's in error. Thank you. Okay, I'm not

going, you know, crazy here.

LEG. LINDSAY:

Very good, Michael.

P.O. CARACAPPA:

Are you sure about that? It's hotel/motel.

LEG. CARACCILO:

The agenda is correct, but the resolution on today's electronic agenda is incorrect.

P.O. CARACAPPA:

Thank you. They're on the ball. There's a motion and a second. All in favor? Opposed?

LEG. CARACCILO:

Opposed.

P.O. CARACAPPA:

Abstentions?

MR. BARTON:

17•1.

ENVIRONMENT, PLANNING AND AGRICULTURE

P.O. CARACAPPA:

EPA 1426 (*Designating the week of April 22 as Green Earth Week in Suffolk County*).

Motion by Legislator Caracciolo, second by Legislator Alden.

LEG. ALDEN:

That's right.

P.O. CARACAPPA:

Who wanted to take it out of order. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1453 (Authorizing planning steps for acquisition under Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund (Lake Ronkonkoma County Park addition) Town of Smithtown).

LEG. KENNEDY:

Motion.

P.O. CARACAPPA:

Motion by Legislator Kennedy, second by myself. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1454 (Reappropriating funds for an incentive program promoting the closure of residential underground fuel tanks).

LEG. LOSQUADRO:

Motion.

LEG. FOLEY:

Second.

P.O. CARACAPPA:

Motion by Legislator Losquadro, second by Legislator Foley. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1474 was done. ***1479 (Appointing Daniel P. Losquadro as a member of the Suffolk County Soil and Water Conservation District).***

D.P.O. CARPENTER:

Motion.

P.O. CARACAPPA:

Motion by Legislator Carpenter, second by myself. I don't know about this one.

LEG. BINDER:

Debate.

P.O. CARACAPPA:

All in favor? Opposed?

LEG. LINDSAY:

Has he appeared before us?

D.P.O. CARPENTER:

Did he come before the committee?

LEG. LOSQUADRO:

Abstain.

P.O. CARACAPPA:

Abstention, Legislator Losquadro. It's all yours, Danny.

1480 (Authorizing planning steps for acquisition under suffolk County Multifaceted Land Preservation Program (Lake Ronkonkoma property) Town of Smithtown). Motion by Legislator Kennedy, second by myself. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Okay. We're going to do SEQRAs, so hold on. **1482 (Making a SEQRA determination in connection with the proposed donation of 0.1 acres to Suffolk County Parks within the Patchogue River County Nature Preserve area, Town of Brookhaven).** Motion by Legislator O'Leary, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1483 (Making a SEQRA determination in connection with the proposed donation of 0.11 acres to Suffolk County Parks within the South Setauket Woods Nature Preserve area, Town of Brookhaven). All in favor •• same motion, same second, same vote.

MR. BARTON:

18.

P.O. CARACAPPA:

1484 (Making a SEQRA determination in connection with the proposed acquisition of 3.7 acres of land by Suffolk County for park purposes • Pipes Cove • Rendel, Hamlet of Greenport, Town of Southold). Same motion, same second, same vote.

1485 (Making a SEQRA determination in connection with the proposed donation of 0.18 acres to Suffolk County Parks within the Mastic/Shirley Conservation Area, Town of Brookhaven). Same, motion, same second, same vote.

MR. BARTON:

18.

1486 (Making a SEQRA determination in connection with the proposed donation of 0.14 acres of land for Suffolk County Park purposes in the Hedges Creek Wetlands area, Town of Brookhaven). Same motion, same second, same vote.

1487 (Making a SEQRA determination in connection with the proposed rehabilitation

of Shinnecock Canal Bulkhead, CP #5348, Town of Southampton). Same motion, same second, same vote.

1488 (Making a SEQRA determination in connection with the proposed DPW Sanitation Division garage, Yaphank, Town of Brookhaven). Same motion, same second, same vote.

1489 (Making a SEQRA determination in connection with the proposed donation of 0.37 acres to Suffolk County Parks within the Warbler Woods County Park and the Beaverdam Creek headwaters area, Town of Brookhaven). Same motion, same second, same vote.

1490 (Making a SEQRA determination in connection with the proposed acquisition of 1.37 acres of land by Suffolk County for park purposes • Hauppauge Springs • Rawluk, Town of Smithtown). Same motion, same second, same vote.

1491 (Making a SEQRA determination in connection with the proposed acquisition of 17.1 acres of property known as Third Creek Woods by Suffolk County for park purposes, Village of Dering Harbor, Town of Shelter Island). Same motion, same second, same vote.

1542 (Approving the renewal of Agricultural District No. 1 in the Towns of Southold and Shelter Island, subject to the required subsequent approvals of the State of New York). Motion by Legislator Foley, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1568 (Approving the acquisition of the Water Distribution System of the Bayview at Mattituck Homeowners Association, Inc., by the Suffolk County Water Authority). Motion by Legislator Caracciolo second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1580, 80A (Amending the 2005 Capital Budget and Program and appropriating funds in connection with improvements to active parkland/recreation areas at Dixon Avenue and Great Neck Road, Copiague, Town of Babylon (CP 7178). Motion by Legislator Mystal, second by ••

LEG. VILORIA•FISHER:

Second.

P.O. CARACAPPA:

Legislator Vilorina•Fisher. Are the offsets good here, Budget Review?

LEG. MYSTAL:

Yep.

P.O. CARACAPPA:

All the offsets are fine now? What is the offset?

MS. VIZZINI:

Yes, it's the Legislative offset account.

P.O. CARACAPPA:

And there's ample •• sufficient funds based on the other resolutions that have been filed?

MS. VIZZINI:

Yes.

MR. SPERO:

As long as the Bishop resolution for the 2 million dollars is not •• is tabled.

P.O. CARACAPPA:

Oh, that's fine. Then we could do it. There's a motion and a second. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. MYSTAL:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yep.

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILOLO:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yep.

MR. BARTON:

18 on the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution. 1618.

LEG. MYSTAL:

Thank you, Ladies and Gentlemen.

P.O. CARACAPPA:

You're welcome sir. ***1618 (Donation and dedication of certain lands to County Parks •***

a SCDHS Board of Review Transfer of Development Rights (S02•02•0159).

LEG. LINDSAY:

Motion.

P.O. CARACAPPA:

Motion by Legislator Lindsay, second by Legislator Foley. All in favor? Opposed?
Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1619 (Donation and dedication of certain lands to County Parks • a SCDHS Board of Review Transfer of Development Rights (S02•03•0004). Same motion, same second, same vote.

MR. BARTON:

18.

P.O. CARACAPPA:

1620 (Donation and dedication of certain lands to County Parks • a SCDHS Board of Review Transfer of Development Rights (S02•98•0017). Same motion, same second, same vote.

MR. BARTON:

18.

P.O. CARACAPPA:

1621 (Authorizing the acquisition of farmland development rights under the New Drinking Water Protection Program • Farmland Development Rights Component (Terry property • Town of Southold • SCTM No. 0100•020.00•01.00•001.003 p/o).

LEG. CARACCILOLO:

Motion.

P.O. CARACAPPA:

Motion by Legislator Caracciolo, second by Legislator Schneiderman.

LEG. CARACCIOLO:

Cosponsor.

P.O. CARACAPPA:

All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1622 (Authorizing the acquisition of farmland development rights under the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund for the Dosiak property (SCTM No. 0200•507.00•04.00•010.000 p/o, Town of Brookhaven).

LEG. LOSQUADRO:

Mr. Chairman, I'd like to make a motion to recommit 1622.

LEG. BINDER:

Second.

P.O. CARACAPPA:

Motion to recommit by the Chairman ••

LEG. FOLEY:

On the motion.

P.O. CARACAPPA:

•• of the committee.

LEG. LOSQUADRO:

I'll be happy to explain.

P.O. CARACAPPA:

Second by Legislator Binder. On the motion, Legislator Losquadro.

LEG. LOSQUADRO:

I'm very disappointed. I was hoping to see someone from Planning or Real Estate here. This is a resolution that Legislator Caracciolo had a bill in for several months ago and there was some discussion on whether or not the deal was closed. There was an update given by the Department of Real Estate, which had some misinformation, so Legislator Caracciolo filed the bill. That being said, this •• this bill was put in after that, and I have to admit, a slight change in the language from Dosiak Farm to Dosiak Property slipped by me. And the Planning Department and Real Estate said that Legislator Caracciolo's bill was still deficient, and we agreed to table it again, yet, when this one came before us, they let it slip by and didn't say a word about it.

Legislator Caracciolo's bill is over 300 points higher than this, it was in the thirteen hundreds, this bill is in the 16 hundreds, and I see no reason why this bill should not be passed and this one sent back to committee. We have had this discussion many times and I think I have been very fair to the Real Estate and Planning Departments in my capacity as Chairman of the committee, and I've made repeated requests to end this bickering by simply having open dialogue and open communication between this branch, and the Executive Branch, and those respective departments. That has not taken place and this is going to further compound the problems we have been having if things like this continue to occur. My motion to recommit stands.

LEG. FOLEY:

Mr. Chairman.

P.O. CARACAPPA:

Legislator Foley.

LEG. FOLEY:

Yeah.

LEG. SCHNEIDERMAN:

Can we discharge the Caracciolo bill?

LEG. FOLEY:

Mr. Chairman, I would hope that we would approve this resolution. And, if you look at the sponsorship, it's a cosponsorship of the County Executive and Legislator Caracciolo. Both names are on the resolution. And notwithstanding this ongoing issue of who offers a resolution first, I think the bottom line for the people of the Town of Brookhaven, as well as for the County of Suffolk, and also for the interested estate that wishes to sell this property to the County to their credit, I would hope that we would approve this today.

Certainly, the •• Legislator Losquadro's comments would be even more compelling if the County Executive left off the name of the local Legislator, but he did not. In essence, it's a cosponsored resolution by the local Legislator and by the County Executive. So, I would hope that we could approve this today. Whether there's any time sensitivity with the closing on this property would be a question I'd like to have the Executive Branch answer, but, at the same time, this is before us. I hope we would approve this today. It's too important of a resolution to hold a decision on two or three weeks from now. Let's move forward with this today, so we can close on this property sooner than later. There are •• as Legislators from Brookhaven Town know, there are fewer and fewer farms left in our town, and I think we'd be sending the wrong message if we not only not •• if we not only table it, but if we recommit it to committee. So, again, there's a •• it's been cosponsored by the Executive and the local Legislator. Let's move forward with the resolution today. Thank you.

P.O. CARACAPPA:

Legislator Lindsay.

LEG. LINDSAY:

Maybe to the Chair of the Environmental Committee, clarification. Is this a classical bill •napping situation, or is it a modified? I mean, did both Legislator Caracciolo and the County Executive propose to buy the same piece of property, or is one an expanded piece and one is less; does anybody know?

LEG. CARACCILOLO:

Counsel?

LEG. VILORIA • FISHER:

Maybe Mike knows.

LEG. CARACCILO:

Yeah, I know, it's the same.

MS. KNAPP:

I believe they're exactly the same piece and exactly the same ••

LEG. LINDSAY:

So, it's classical bill•napping.

LEG. MYSTAL:

This is a straight bill•napping. This one is straight.

P.O. CARACAPPA:

Legislator Vilorina•Fisher.

LEG. MYSTAL:

Not adulterated.

LEG. VILORIA • FISHER:

As I recall, and Legislator Caracciolo, if I might, through the Chair just, ask Legislator Caracciolo a question about this. As I recall, I'm on the Environment Committee, and there was a defect in the resolution that you had filed in as much as you included a price on that •• the price of negotiations in that piece of legislation, and that was the objection that The County Executive's Office had to it.

When this appeared on the agenda again with your name alongside that of the County Executive, it was the understanding of the committee that you were cosponsors on this. So, if you could just elucidate on both of those points, the first one being that your resolution did, indeed, have an amount of money that quantified the deal and that that made it problematic for The County Executive's Office in the culmination of the contract negotiations. That was the case, yes?

LEG. CARACCILOLO:

No.

LEG. VILORIA • FISHER:

Okay. Can you ••

LEG. CARACCILOLO:

That was represented by the Executive, another lie.

LEG. VILORIA • FISHER:

That there was a money amount in your resolution?

LEG. CARACCILOLO:

Okay. That this particular property ••

LEG. VILORIA • FISHER:

Wait. Was there an amount of money in your resolution?

LEG. CARACCILOLO:

And they're the same or similar, very close proximity to the same amount of money in the County Executive's resolution.

LEG. VILORIA • FISHER:

But that was ••

LEG. CARACCILOLO:

It was all about pride of authorship. Let's cut to the chase; okay? When I submitted my resolution and it quantified what the acquisition cost was, despite the fact that a representative from the Division of Real Estate spoke to my Legislative Aide, Kimberly, Kim Kennedy, and told her that this was a negotiated, agreed upon purchase, okay, it was not subject to negotiations, it was an accepted offer is what she was told, I submitted a resolution. I quantified what the cost of that would be. They said, oh, we're breaching confidentiality. Nonsense. They breach it all the time. Last year, we approved Detmer Farm for

6 million dollars. You know what, Detmer Farm just closed within the last several weeks. Came to this Legislature April 29th, 2004 as a Certificate of Necessity. "We have to approve it, it will be developed." Okay? The inconsistencies are rampant. But everybody seems to have selective memory loss around here, I don't. The reality is I sponsored this resolution.

The difference in purchase price is twenty•seven hundred dollars on a 1.4 million dollar acquisition. Okay? It's •• people want to be technical when it suits their purposes. It's all about pride of authorship; okay? The County Executive has had little to do with most of the acquisitions this Legislature's been approving the last 18 months, but he's running all over this County holding press conferences based on work that this Legislature began more than three years ago, when we put together, in conjunction with environmental organizations, a master list, which we codified last year. I've had it with him and this nonsense, this game he's playing, and I'm not going to stand for it anymore.

So, we have a motion. Let's move the motion to table.

LEG. VILORIA•FISHER:

You're not a cosponsor. Is that ••

LEG. CARACCILOLO:

I was not asked to be a cosponsor.

P.O. CARACAPPA:

There's a motion and second to recommit.

LEG. CARACCILOLO:

Recommit.

P.O. CARACAPPA:

All in favor?

MR. ZWIRN:

Mr. Presiding Officer, may I?

LEG. VILORIA•FISHER:

Okay. The answer to my answer was you're not a cosponsor?

LEG. CARACCILOLO:

Not that I was aware of.

LEG. FOLEY:

Well, you are, but look at the bill ••

LEG. CARACCILOLO:

Well, they put my name on it, Brian.

P.O. CARACAPPA:

I'd like to wrap this up and move on.

MR. ZWIRN:

Thank you, Mr. Presiding Officer.

P.O. CARACAPPA:

Quickly.

MR. ZWIRN:

Yes. We added Legislator Caracciolo to the bill, because it was in his district. But the fact is, is that his bill was deficient, because he didn't have the right purchase price. It still doesn't have the right purchase price.

LEG. CARACCILOLO:

Twenty•seven hundred dollars?

MR. ZWIRN:

Well, twenty•seven hundred dollars is the wrong price. When you buy a house, you buy any piece of property, if the wrong price is on the contract, chances are the contract's not going to go through.

LEG. TONNA:

So, Ben, you call up and you say, "Just change that."

MR. ZWIRN:

Well, it's not done quite that easily in government, as it is calling your local attorney. You have a process that you have to go through, and the Legislature changed the process last year. It's a different process than it was previously and this is how it's done.

LEG. LOSQUADRO:

No, no, no, no, no.

LEG. CARACCILOLO:

No, no.

MR. ZWIRN:

Yes.

LEG. LOSQUADRO:

No.

MR. ZWIRN:

It comes back. The Real Estate Department does the negotiations. When they have a contract ready to be executed, they bring it back to the Legislature for approval.

LEG. CARACCILOLO:

Mr. Chairman.

MR. ZWIRN:

Now the purchase price has been set and the Legislature has the prerogative.

LEG. TONNA:

Joe, call a lunch break.

P.O. CARACAPPA:

I am. It's 12 •• just past 12:20 •• 32. We're taking a Legislative photo, and then we're going to lunch. We'll pick up this debate later. I was hoping to finish it up, but we're not. I'd ask ••

LEG. CARACCILO:

Could we have the vote to recommit? Let's get it off the agenda.

P.O. CARACAPPA:

No. We're going to break now. Please, everyone, gather for the photo, so we can get it done as quickly as possible. We'll be back at 2:30 for public hearings. After that, we'll go directly to the Capital Budget and then we'll pick back up with the agenda, whenever that may be.

[THE MEETING WAS RECESSED AT 12:32 P.M. AND RESUMED AT 2:40 P.M.]

[SUBSTITUTION OF STENOGRAPHER • DONNA CATALANO]

P.O. CARACAPPA:

Good afternoon. We will start the public hearings. Mr. Clerk, the affidavits of publication are in proper order?

MR. BARTON:

Yes, they are.

P.O. CARACAPPA:

Thank you very much. We'll go right to the first Public Hearing, **1360, a Charter Law to streamline County government by converting the Airport Lease Screening Committee to an Advisory Committee.** I have two cards. First speaker is Robert Lesemann.

MR. LESEMANN:

I'm representing the Quogue Association. Now, I will not read the letter which was sent to Mr. Levy with copies to all of the Legislators considering developments at Gabreski Airport, but we would like to thank Mr. Levy for having gotten back to us after he received the letter and discuss certain things with us. Now, just a series of points of what we mentioned in our letter.

First, we worked hard and supported Mr. Levy's efforts to keep 106 Air National Guard at Gabreski, and as you all know, we seemed to have succeeded. Second, we support efforts by Suffolk County and Southampton Town to develop a planned development district with emphasis on high technology, communications and homeland security firms. But what we don't

want is any appreciable increase in air traffic. We also object that all decisions on development are being made without input from the communities most affected.

We were very troubled to have recently learned that the airport has accepted an application for a business jet operating currently in Islip to bring 18 jets to Gabreski with an anticipated two to 12 flights a day. Apparently the firm also wants to double its 25,000 square foot hangar capacity and add one or two air crafts to its inventory each year. Furthermore, airport management now states that 170 acres are available for additional aviation use. This was counter to what we were told when we met with the airport manager just a few months ago.

In closing, we urge that Suffolk County should not appreciably add aviation activity to Gabreski. We must be protected from the noise, the diminution of real estate values and the general disturbance of additional air traffic. A new master plan for the airport is near completion without any consultation with local groups. Now, this is wrong. We live near Gabreski and must have a say in what its future will be. Thank you.

P.O. CARACAPPA:

Perfect timing. Thank you. Next speaker is Bill Bearien.

MR. BEARIEN:

Thank you. I represent the Quogue Planning Board, and I would second all of what Bob had to say, but would only add that over the years of the numerous occasions when there have been movements to develop air traffic related activities at the airport, extending all the way back to the '60's if I'm correct. Each of these moves was sufficiently rebuffed over time, and the airport has •• has continued in existence in some modest way to •• to accommodate the surrounding communities and preserve the values in those communities.

As Bob mentioned, we have been very supportive of the •• of retaining the Air National Guard at the facility. This is a terrific development. But what is not so terrific is the announcement that the County has accepted this lease to put in what would appear to be a large scale charter service, I think, replacing the firm by the name, I believe, of Jet East, which to my knowledge is a fairly small operation. What is rumored to be the case with this operation is a fairly sizeable number of planes, need for hangars, need for storage facilities, you know, a different •
• a different size operation than what was there before.

The only point we would make is that we have been good neighbors of both Quogue and the surrounding communities of •• Westhampton, Hampton Bays, East Quogue, Remsenberg and so on, we've good neighbors of the airport for a long period of time. It's a little unsettling that this type of development takes place without any community input to something that could be impactful to those communities. We would be highly supportive of retaining the Lease Screening Committee, preferably where such •• such a committee has serious community input. At the moment, I believe, we have two out of all the committee members. It's our suggestion that that even be •• that even be increased.

But the basic point that we would make that this is a •• this is an important development both in the •• in the thoughts of the Legislature to bring airport decisions back to here in Hauppauge to the Legislature. And we think it's a mistake to create only an advisory committee, which has probably questionable influence to the final decision and to just to do away with the Lease Screening Committee. It would be the opinion of our board that the situation as it •• as it was with a Lease Screening Committee with serious input from the community be in place in the future. Thank you very much.

P.O. CARACAPPA:

Thank you. I have no other cards. Is there a motion? I make a motion to close? Is there a second?

LEG. LINDSAY:

Second.

P.O. CARACAPPA:

Seconded by Legislator Lindsay. All in favor? Opposed? Abstentions? Public hearing 1360 is **closed.**

Public Hearing on **IR 1444, a local law adopting Labor Law Compliance Policy for the Suffolk County Industrial Development Agency.** I have two cards. First speaker is Joe Shanahan.

MR. SHANAHAN:

Joe Shanahan, Local 25 Electricians Union. I just want to say that I'm a little surprised that

there is even a law necessary to enforce compliance with the prevailing wage from the IDA. Those people should be aware that without prevailing wage we'd have a race to the bottom, and a race to the bottom starts to affect everyone.

The first thing that goes is usually safety. You will find contractors that are trying to underbid each other and now they don't have •• there's no safety glasses, there's no hard hats, there's nothing. And those things start to fall by the wayside. So I have to tell everybody here that the quality of life for the people that live in this County will deteriorate economically as well as physically if these laws are not upheld. So I urge you support this law. Thank you very much.

APPLAUSE

P.O. CARACAPPA:

Thank you. Jim Rogers.

MR. ROGERS:

Hello again. As Joe Shanahan just said about the local law where the compliance policy for the Suffolk County Industrial Development Agency •• just to give you an example of what we have to go through in the trades, when we do go to a construction job, we do know that there's the Industrial Development Agency from the County involved in that job, and we go there, we speak with the workers. And I know on my end, being a rep with the painters and allied trades, we go and talk to the painters, you know, we ask them what kind of money they're making on the job. They would tell us that they're making \$100 a day cash, not on the books. So there goes your tax revenue out the window.

It's a loss for the worker, it's a loss for the people in the County, for the residents, it's a loss all the way around when we don't have some type of regulation to enforce this type of stuff. As Joe mentioned before about health and safety and education and training, another part of it apprenticeship language that's attached. And that's the other thing that's important. The safety not only for the worker, but also for the residents of the County that are going into whatever establishment that it is that's being built, It's very important.

I brought two studies •• actually is a one study from the University of Missouri, Kansas City, and it was done by a few PhDs over there. In the State of Missouri they were trying to repeal the prevailing wage, and they did this study. It's 150 page study, I'll leave it with you and

submit it. And I'll just read one page, and it shows what kind of a negative effect it has on a state or a county.

"Attempts to repeal the Prevailing Wage Law in Missouri are based upon the claim that the repeal will save dollars on total construction costs and bolster state and local budgets. However, this study is showing that repeal of Prevailing Wage Statute in Missouri would not save dollars on construction costs and result in negative economic impact on families in Missouri, taxpayers in Missouri and the state and regional economies in Missouri".

"This study has shown that the consequences of repeal in Missouri would include lower wages for all construction workers in Missouri, direct impact of repeal in Missouri and reduce incomes for other workers and industries located in Missouri, reduced health and pension benefits for construction workers, a result probably •• eventually increased cost to the state and local communities, reduced sales tax revenues to the State of Missouri and regional economies, reduce corporate incomes taxes for the State of Missouri, a weaker system of construction apprenticeship training in Missouri, increase occupational injuries and they're associated cost to Missouri, increased construction work done by out•of•state contractors in Missouri, lower productivity of construction work force". So I'll leave this with you. It's pretty in depth. And the other thing has to do with OSHA and health and safety. OSHA puts out ••

P.O. CARACAPPA:

Mr. Rogers, your time expired. Sum up, please. I'd appreciate it.

MR. ROGERS:

OSHA puts this fatal facts report, and they get into workers that are killed on the job. And its shows exactly what happened on each one of these cases. There are 70 cases here, out of 70 cases, 55 of them didn't have education and training. That's 78%, and that's the reason why there was a fatality on the job. So I'll also leave this with you and submit this to the record for this law. Thank you.

APPLAUSE

P.O. CARACAPPA:

Mr. Rogers, there's a question.

LEG. BISHOP:

Jimmy, I'm, of course, a cosponsor of this legislation. I think it's imperative that we require the beneficiaries of government subsidies to at least pay a living wage and a prevailing wage in the construction field and a living wage otherwise to their own employees. The question I have is on another topic that's related. One of the issues before the Legislature in the next few weeks will be waiving the Wicks Law with regard to major construction projects in this County. Do you have information about that, whether that would actually save money or not?

MR. ROGERS:

Being that I'm one of the trades that's not directly affected with the Wicks Law, I'm not one of the prime contractors that it goes out to. There's pros and cons to the whole thing. I wouldn't speak on behalf of the trades or the unions or the contractors that are affected by that, but, I mean ••

LEG. BISHOP:

If any of the subsequent speakers are affected by Wicks, I'd like to •• if they could quickly touch upon that, I'd be interested. Thank you.

MR. ROGERS:

I just want to mention that Jack Kennedy, the President of the Building Trades, wanted to be here, this is very important to him, but he is up in Albany for apprenticeship training stuff.

P.O. CARACAPPA:

Very good. When we passed the Sense Resolutions doing this recently, Jack weighed in with his support as well. I have no other cards. Is there a motion?

LEG. O'LEARY:

Motion.

P.O. CARACAPPA:

Motion to close by Legislator Bishop, seconded by Legislator O'Leary. All in favor? Opposed? Abstentions? 1444 is **closed**.

1497, a local law to regulate boarding kennels, businesses and establishments. I have

no cards, anybody wishing to be heard? I make a motion to close, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? 1497 is **closed**.

1583, a local law strengthening the procedures and remedies of the Suffolk County Human Rights Commission. I have no cards, anybody wishing to be heard?

LEG. MYSTAL:

Mr. Chairman.

P.O. CARACAPPA:

Legislator Mystal.

LEG. MYSTAL:

I'm going to make a motion to close the hearing, but just in case anybody has any questions, the Director of the Human Rights Commissioner is here. She will appear when we are debating the bill. I intend to table the bill until we work it •• we're going to work the bill some more.

P.O. CARACAPPA:

Okay. Motion to close at this point by Legislator Mystal, seconded by Legislator Lindsay. All in favor? Opposed? Abstentions? 1583 is **CLOSED**.

Moving on, Public Hearing **1606, a local law extending veterans property tax exemption to recipients of Global War on Terrorism Expeditionary Medal.** I have no cards, anybody wishing to be heard? Motion to close by Legislator Kennedy, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? Public hearing on 1606 is **closed**.

I'll make a motion, seconded by Legislator Alden to set the following dates and times and locations to set these public hearings on IR 1647 on June 21st, 2005, 9:30 a.m. here in Hauppauge here in the Budget and Finance Committee; setting the date of Wednesday, June 22nd, 2005, 9:30 a.m. in the Economic Development, Higher Education and Energy Committee here in Hauppauge for resolution 1649; setting the date of Wednesday, June 22nd, 2005, at 11:00 a.m. at the Parks and Recreation and Cultural Affairs Committee here in Hauppauge for Resolution 1657; setting the date, time and place for Public Hearing 1642 on June 28th, 2005 at 5:00 p.m. at the General Meeting at the Maxine Postal Auditorium in Riverhead. There's a

motion and a second on all the settings of those times, dates and places. All in favor? Opposed? Abstentions? Those public hearings are set. 1642 is at the General Meeting.

We are now going to go to Capital Budget. There should be a packet in front of you and an index associated with it. What you will see here first is the index of all the bills I'm holding up, the smaller packet. And, of course, the much large packet is the bills themselves. Budget Review, would like to do a quick synopsis of Omnibus Budget Amendment No. 1.

MR. SPERO:

I won't go through project by project, I'll just hit some of the major points. We're increasing funding for pay•as•you•go•type projects. There are a number of projects included in the program that have a five year useful life that we're funding with serial bonds. This would reaffirm the pay•as•you•go funding. The funding, of course, has to be put in the Operating Budget. If the full amount of funding can't be put in the Operating Budget in the fall an extension to the law would have to be adopted on some form or fashion that would either cap the amount of funding for pay•as•you•go or eliminate it completely or something in between.

P.O. CARACAPPA:

Or don't do the projects.

MR. SPERO:

That's another option. The BOE, Board of Elections, we're advancing 840,000 in construction funds from '08 to '06 to modify the electrical distribution system in the warehouse to accommodate the new electronic voting machines. The Help America Vote Act requires that the state act for the 2006 elections. So this means that the warehouse has to be ready to accept these machines. Without these modifications, these electronic machines really won't be able to be used.

For energy conservation we're adding \$200,000 for a study for a five year •• to develop a five year plan to promote energy savings in County buildings, the goal of which would be to achieve 20% savings over a five year period. This would primarily look at demand side management issues in County facilities.

And the college, the Legislature is restoring two projects that the state has already committed funding for; they are the Library and Learning Resource Center at the Eastern Campus and the

renovation of the Peconic Building at the Eastern Campus, which currently houses the library. The other two new projects that are included in subsequent years to demonstrate local sponsor support are the recreation center for the Eastern Campus and the Learning and Resource Center for the Grant Campus.

The omnibus also advances funding for the tennis court improvements. These tennis courts have been in disrepair for a number of years, and needed repairs have not held up so the resurfacing and reconstruction of these tennis courts needs to be done.

FRES, we've advanced \$625,000 from subsequent years to 2008 for equipment for the backup communication center. The Police Medevac Helicopters, we're adding \$6 million in '06 for the purchase of a second twin-engine Medevac Helicopter. This would allow the County to have one Medevac Helicopter at each base, Gabreski and Long Island Mac Arthur. One-third of the calls for service for Medevac originate from the East End.

Police precincts, this is the new Fourth Police Precinct, funding \$14.5 million advanced from subsequent years to 2007 for construction of a new Fourth Precinct here on the North County Complex. Police •• funding for the police radio tower in Rocky Point is advanced from 2007 to 2006. This is a Public Safety hazard because there's a communications dead area on the north shore in the Rocky Point area.

Funding is added in the John J. Foley Skilled Nursing Facility for wheelchairs, bedding types, replacement fixtures for the facility as well as security cameras. And highways, funding of \$5 million is being advanced from '08 and '07 into '06 for the strengthening and improvement of County roads. Land acquisition, \$8 million •• \$8.3 million is deleted from the 2006 portion of the Multifaceted Land Preservation Program. This is based on our recommendations to delete the funding in 2006 since there's over \$100 million currently available in the County's various land acquisitions programs, including an unused appropriation of over 25 million for the Multifaceted Program itself. The Multifaceted Program can be used for any of the County's land acquisition programs; farmland, affordable housing, depending on the priorities that arise.

We have a second sewer omnibus, which comprises four projects. The main one is advancing \$21 million in •• for improvements to the scavenger waste facility in Southwest. This funding would be advanced to 2006, and \$6 million is added in '07 and '08 for needed infrastructure

improvements at the Bergen Point Plant. This is based on discussions with DPW. This funding will be paid for by the district and the Assessment Stabilization Reserve Fund if it's needed. Southwest Sewer District is going to have a drastic drop in debt service cost in the Year 2009. So these improvements really will be impacting at the time the debt service drops off.

We're adding \$750,000 for a general project for replacement equipment for all the sewer districts. This is being added in 2008; \$2.9 million is being added to the Selden Sewer District to recondition the head works at the district; and we also adding some funding for other sewer districts for security, fencing and cameras to provide better security and to try to keep, you know, intruders out of the sewage treatment plants. So that's the sewer omni.

P.O. CARACAPPA:

So those are the major points of both major omnibuses, I and II?

MR. SPERO:

Correct.

P.O. CARACAPPA:

My colleagues should keep in mind that this is the Capital Budget. What we have here before us in all of these amendments, whether they be omnibus or not is a fiscal document that's more or less a plan for future years. This does not commit us to these projects until we do subsequent appropriating resolutions when that time comes about in the appropriate years for which we are planning these projects. So this is a blue print so to speak and not committed funds as would be the Operating Budget. Legislator Lindsay.

LEG. LINDSAY:

Thank you, Mr. Chairman. I wanted to talk a little bit about Project 7177, the Suffolk County Multifaceted Land Preservation Program, that there was so much public testimony about this morning. And one of the things is when we are in the public portion, it's very frustrating to sit here and to listen to the argument and not be able to respond to them.

People seem to get this confused with an affordable housing appropriation. It's very true that the Multifaceted Program can be used for affordable housing, but it's actually a land preservation program, that's the primary purpose of it. We've reduced that appropriation by \$8,333,000. And the reason why we did that is our County Executive has slogan that I basically

agree with, he keeps saying we can't have it all. And when we started doing the budget, we added some things that is absolutely necessary now; for example, the two •• the college projects that we restored is about \$16 million worth of construction work that's ready to go now. We added \$7 million in vital road improvements to the \$31 million that the County Executive already had in the budget, because I think anybody who rides around the County can testify that the roads are a mess, there's potholes all over the place. We desperately need to keep up with our infrastructure.

[RETURN OF COURT STENOGRAPHER • LUCIA BRAATEN]

We added 24 million dollars in sewer projects. When you start talking about affordable housing, the best way to increase density and improve the stock of affordable housing is to improve our sewer districts, to have the infrastructure to back up the housing projects. We added 15 million dollars or accelerated 15 million dollars for the Fourth Precinct, which is in desperate need of repair.

And where I'm going with this, this •• you know, it sounded this morning from some of the speakers that we did this frivolously and we really didn't. The reason we took out the 8.3 million dollars is we don't think the money is going to be spent, it's that simple.

There is currently 110 million dollars in land acquisition money available as we speak.

Admittedly, a lot of that can't be reappropriated for affordable housing, but 25 million could be.

This Legislature passed a bill, really before I was here, in I believe 2000 appropriating 5 million dollars to assist in affordable housing. Now, unless I'm wrong, to my knowledge, we've used less than 2 million of that 5 million dollar appropriation in five years. As far as I know, we did •
• we assisted in one project in Islip and one in Huntington, and not the others. There's still over 3 million dollars sitting there. This Legislature changed the law last year to allow us to use this affordable money •• money subsidy for not only land acquisition, but for infrastructure improvements as well. We can subsidize a builder in terms of building roads and sewers, and all the infrastructure he needs to make his project work. The sad truth is we haven't had people coming forward and requesting this money.

I don't think we cut this program short, I think there's plenty of money available there. If the number of projects start accelerating, I'm sure we'll find ways of funding it. I don't think that's

the problem. The other projects that I did mention, though, we desperately need to do them, too, and we can't do it all.

P.O. CARACAPPA:

Well said, Legislator Lindsay. Next speaker, Legislator Vilorio•Fisher.

LEG. VILORIA•FISHER:

Budget Review, as Legislator Lindsay has mentioned, there had been 20 million dollars that had been earmarked four years ago for workforce housing and •• well, it was five each year, right?

MR. SPERO:

Only five was actually appropriated.

LEG. VILORIA•FISHER:

County Executive Gaffney made an announcement about 20 million dollars, it was five each year. Wasn't that for four years? Jim?

MR. SPERO:

And only five of it was actually appropriated.

LEG. VILORIA•FISHER:

Okay. Recently, Marian Zucker was at the Ad Hoc Workforce Housing Committee, and when we did ask her how much had been spent, very little had been spent. Two million you said? How much has been spent, Jim?

MR. SPERO:

Yeah, less than 2 million. About 1.9 million has actually been spent. There's an appropriation balance of \$3,173,000 if you look on page •• if you happen to have our Budget Review report on the Capital Program, Page 17, you'll see that •• the chart with all the balances for the various land acquisition programs.

LEG. VILORIA•FISHER:

What has happened to the balance •• what happens to the balance of the money that was set aside if it had not been spent, was it absorbed into the ••

MR. SPERO:

What happened was around 2001 or so, the Multifaceted Program started, and that folded in all of the funding for the various land acquisition programs, including affordable housing.

LEG. VILORIA • FISHER:

So, that money became part of multifaceted.

MR. SPERO:

Right.

LEG. VILORIA • FISHER:

It says also in the short description, some of the currently available funds must be spent before December 2006. How much of the currently available funds have to be spent before December 2006?

MR. SPERO:

Well, that's primarily related to the Greenways Program.

LEG. VILORIA • FISHER:

Okay.

MR. SPERO:

And I think the SOS Program, the deadline is 12/31/07.

LEG. VILORIA • FISHER:

Okay. Yeah, the SOS money would be 207. But how much has to be spent by 2006?

MR. SPERO:

Let's see. In Greenways, we have •• I'm reading the right line. Greenways Open Space, about 800,000; Greenways Parkland, it's 1,029,000; Greenways Farmland, a million•five. Those funds have to be expended by the end of '06.

LEG. VILORIA • FISHER:

Okay. So, we're talking about 2 •• yeah over 3 million dollars has to be spent by December

of '06.

MR. SPERO:

That's right.

LEG. VILORIA • FISHER:

Thank you, Jim.

MR. SPERO:

In the SOS Program, we have balances of almost 9 million for open space, the Hamlets Program, 10 million dollars has to be spent by '07, and in the farmland component, 27.8 million.

LEG. VILORIA • FISHER:

Okay. That takes us to '07. Thank you, Jim.

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCIOLO:

Mr. Chairman, I see in the audience the Director of Real Estate. Perhaps Ms. Zielenski can come forward and answer some questions about fund balances.

LEG. BISHOP:

Why do we do that? Why do we allow that during debate?

P.O. CARACAPPA:

I'm kind of considering it, but ••

LEG. CARACCIOLO:

What do you mean why do we allow that? Because we want to get information before we make •• cast an important vote, that's why.

LEG. BISHOP:

Why didn't you get the information and present it in debate? Too often what you do is you

engage in some sort of cross•examination without any ••

LEG. CARACCILOLO:

What's wrong with information, Dave?

LEG. BISHOP:

Get it before you make the debate. I have my facts ready, I'll make my point.

LEG. CARACCILOLO:

No, you don't. I guarantee you, you don't have your facts ready.

LEG. BISHOP:

Okay, thanks.

LEG. CARACCILOLO:

Tell me what the fund balances are, Mr. Bishop.

LEG. BISHOP:

That's not what I'm going to debate.

LEG. CARACCILOLO:

Okay. Could Ms. Zielenski, please, respond to some questions?

P.O. CARACAPPA:

As long as it relates to this capital document.

LEG. CARACCILOLO:

Absolutely.

P.O. CARACAPPA:

Okay?

LEG. BISHOP:

It's about 110 million in •• by the way, it's about 110 million.

LEG. CARACCILO:

I've heard •• I've heard more than one reference to in excess of 100 million dollars in County environmental funding. What I'd like to know, what we don't know, is how much of that money, if Ms. Zielenski would stand and come to the microphone, how much of that money may, unbeknownst to us, be in the pipeline with respect to contracts or negotiated deals that haven't been consummated yet?

For example, as I mentioned earlier today, we just closed within the last month on the Detmer Farm, which was in excess of a 6 million dollar County purchase that this Legislature authorized last April 29th, it took a year. So, I think before people run fast and loose with numbers, we need to get all of the facts. How much of that hundred million dollars that you have now heard referenced, and I, is committed, to the best of your ability? I know you can't share particulars with us, no one would want you to do that, but give us a sense. Is it 100, is it 90? Is it something less than 90? What •• where are we today in terms of what you comfortably believe before the end of this calendar year will be a fund balance in all our environmental programs, because there are more than 12 programs.

MS. ZIELENSKI:

Yes. I'm sorry that I'm not prepared to give you specific dollars on our fund programs. I didn't realize that you would be asking that today. I can tell you off the top of my head that we have a substantial amount in the pipeline committed. I cannot tell you when any of them will close, because they're often delayed with subdivision processes, and so forth. I think we have somewhere between 30 and 40 million dollars committed at this point in time. But as a general reference, I can also tell you that we have more than a hundred project parcels currently in the appraisal pipeline, which translates to 200 appraisals that are either being RFP'd, or actually being done by the consultant appraisers, or they're in the review process. So, our pipeline is moving right along.

LEG. CARACCILO:

I think that that really speaks to the essence of the representation, that there's a lot more money in our environmental fund balances than perhaps there is. If 30 or 40 is committed and there are more than 200 resolutions that are working their way through the appraisal process or the appraisal bid process, I think we have to take a cautionary note that while it may appear that we have a lot of money, in reality, we may not, and that's the only point I would like to

make with respect to this particular discussion.

P.O. CARACAPPA:

Thank you. Legislator Bishop, who was ready.

MS. BURKHARDT:

He left.

P.O. CARACAPPA:

Oh, he left. I thought he was ready.

LEG. BISHOP:

You could pass, I'll come back, if there's anybody else.

P.O. CARACAPPA:

Legislator Carpenter.

LEG. MYSTAL:

Go ahead, you're on, speak.

LEG. BISHOP:

I'm ready now.

D.P.O. CARPENTER:

All right, go ahead.

P.O. CARACAPPA:

You're ready?

LEG. LINDSAY:

Take a deep breath, David.

LEG. BISHOP:

Thank you, Mr. Chairman. You won't want to recognize me after I speak.

P.O. CARACAPPA:

I know. We're saving you a cell.

LEG. BISHOP:

Actually, I do want •• I do want to speak against this omnibus.

LEG. MYSTAL:

And I'll handcuff him.

LEG. BISHOP:

I have served on omnibus committees on the Operating Budget and the Capital Budget and I know how hard the work can be, but I get the sense that this committee didn't do what other committees have done over the years, which is make a number of hard choices. It seems to me that a lot of what occurred is just continuing to add. And what the plan seems to be, and I temper these remarks with the •• with the understanding that this is a Capital Budget plan, it's not a document that carries with it the impact of law, it's not an appropriation, it's simply the Legislature's long•range plan. But, as a planning document, I can't subscribe to it, and the reason is, is that the level of borrowing is explosive and unsustainable. Some of the priorities are misplaced, and, worst of all, from my perspective, it capitulates to a bully and that's New York State.

State government is irrational and it does not have the best interest of Suffolk County taxpayers in mind. And this omnibus, with its commitment to the jail, allows New York State to continue its agenda, despite the fact that the State has continually misrepresented to Suffolk County what the circumstances and facts are.

Something has to give when you are going to engage in a project that costs hundreds of millions of dollars. When you have a backlog of projects currently of over 300 million dollars, and you want to have additional local projects, also totalling hundreds of millions of dollars, something's going to give. And according to this plan, if it is followed, what's going to give is the taxpayer, because beginning in 2007, the level of debt service payment in the Operating Budget is going to skyrocket. And so, when I make criticisms of the jail about 100% tax increases, that's when the rubber hits the road, is in 2007. I will be safely ensconced elsewhere, as I am term•limited. But all of you who are remaining should understand the

policy direction that you're headed in. 2007 will be the year that the debt service skyrockets.

In the 1990's, my colleagues, who are long-serving, and myself, we always had a policy with the Capital Budget of trying to keep level debt service. There was bumps up and down, but in general, the policy was to maintain level debt service. That policy is being abandoned and in a big way.

If you look at the chart on •• in your Budget Review report, Figure 4, which has these nice colorful mountain that it's created, the peak of the mountain is the debt service and you are creating that peak in the short term in 2007. The Legislature chose not to abandon other projects. All the projects that have been previously authorized are still slated to move forward. I would argue that those are better projects, mostly because •• well, not mostly because, but among the reasons, because most of those are leveraged. They receive State and Federal aid, whereas the jail is 100% local cost. So, I think that the better policy for the Legislature would have been to forget about the jail, or renovate the jail, or deal with the jail in a different way than to build the hundred •• well, at least 250 million dollar facility.

There are misplaced priorities as well. No matter how you cut it, if you're cutting from the fund, the multifaceted Fund, and you have a demand for open space and environmental programs that's greater than the money that's available right now, and that's what the experts in the Executive Branch and from the advocacy groups tell us, then something will have to give there, and, also, the rescheduling of the Tier II shelter to subsequent years is not the policy statement that I wish to make. But worst of all is how we are dealing with New York State in this omnibus.

The consensus has arisen that New York State is some sort of reasonable partner in the making, and that we could sit down with them and reason together, and get a project that everyone's going to be happy with. But this is the same New York State that took you down the children's shelter path. That was a project that was going to save Suffolk County taxpayers money, because we would not have the enormous expense of sending juvenile offenders out of county. We had committed to that project, New York State had committed to that project, we had appropriated for that project, and when we're about to break ground, they pull the rug out from under us. This is the same New York State that has dumped its mentally ill population on to Suffolk County by closing the State hospitals with a promise of adequate community-based

funding that never materialized. It's the State •• same New York State that had to be sued to take their State•ready prisoners out of our County jail, and now continues to allow parole violators to languish in the County jai. And it's the same New York State that time and again in this jail process misrepresented to all of you what the facts are. They told you time and again that you needed to build this jail to deal with an overcrowding problem, and that there was no alternative. "No room for alternatives," they told you, "You are maxed out," and that's a quote. And now comes the report that shows that we could have as many as 600 prisoners safely, nonviolent, safely dealt with through alternatives to incarceration. That doesn't even touch upon the mentally ill. We have hundreds of those as well.

You know, the snapshot of who's in our County jail is very revealing. More than 300 for driving offenses, not relating to drunk driving, most driving without a license or adequate insurance and they can't make bail; hundreds who are mentally ill on short•term stays. All of that we house at a cost of over \$200 a day, when alternatives for nonviolent pretrial would cost \$10 a day.

Expansion of probation, similar opportunity. How about increasing efficiency in the criminal justice system, moving people from arraignment and through the system to their trial quicker, or from their trial to sentencing quicker? That can accomplish hundreds of days of less jail space.

So, the need for the jail, the rationale that has always been put forward throughout this project, that you needed to do it to deal with overcrowding, was pulled out and demonstrated to be inappropriate and not real. So what has cropped up in recent days? Well, the jail is inadequate, we need to rebuild it, we need to start over because the building is crumbling, changing the rationale. Well, I don't think that's the right way to do it. There are plenty of County buildings that are in dire need of repair. The jail can be renovated, and I have a stand •alone later on that says it can be renovated. How do I know it? Well, I don't know it. I mean, I know it from the history of being here, because that was Bob Gaffney's policy and that was Sheriff Mahoney's policy. That was the path we were going down about five years ago.

Then it all changed, and it all changed for the worst for the taxpayer, because what suddenly happened is when Mahoney left office and Sheriff Tisch came in, and especially when Robert Gaffney announced that he wasn't running for re•election, New York State changed its attitude and demanded immediate action and demanded this mega•jail. This omnibus subscribes to

that, it's a mistake. It's a huge mistake for the taxpayers, it's even a mistake for the construction industry, because it isn't •• it is not leveraged money, it's 100% local, which means that when you go out to borrow all that money, unless you're willing to raise taxes well over 100%, you're going to have to shut down the rest of your Capital Budget during those years.

You know, you look at this chart, which points to 2007 as the danger year as when it really starts to get bad, and I asked about how they arrived at that figure, and it's merely a guess of what the County will go out and spend. It's a low end guess, because it says that well, you traditionally spend about 80 million dollars and then we'll •• they'll layer on the jail on top of that, but it doesn't consider all the additional spending that you guys are requesting in this omnibus, and it doesn't consider the hundreds of millions of dollars in back projects.

So, I think that what ought to occur is that we ought to step back and instead of capitulate to New York State, we ought to fight for our taxpayers and fight for the best interests of the County, and I don't think this omnibus does that.

P.O. CARACAPPA:

Thank you, appreciate that. I think your comments are, though we respect them, I think misleading when it comes to our borrowing levels. Our borrowing levels under law, what we're allowed to borrow as a municipality or a county, are incredibly low, David, they're at 6%. That's unheard of through other counties throughout New York State. In fact, it's one of the reasons why in our most recent bond rating meetings and upgrades, I might add, they cite it as one of the strongest points of Suffolk County's fiscal health was the fact that we do have such a low level of borrowing.

Your doom and gloom situation has been stated year in and year out, whether it's been from the County Executive's side or certain Legislators. We've heard it all. You've fought against comments like that in the past and now you're giving one, though, again, I'm not trying to chastise you in any way, just I think you're wrong. I think this omnibus does a lot of good, as Legislator Lindsay and our Budget Review Director had stated in their synopsis. Our debt levels in Suffolk County are something we should be proud of, because we have shown restraint and we'll continue to show restraint, but, in the same breath, continue to make sure that our infrastructure is in solid shape, because we know how important a strong infrastructure is to job

creation, affordable housing, and so many other important things that keep this County as great it is.

So, to your point, I just add that counter•point, and I recognize Legislator Carpenter.

D.P.O. CARPENTER:

Thank you, Presiding Officer, who touched on some of the things I wanted to touch on, particularly the level of borrowing that we have as a County. I know that your comments, Legislator Bishop, were not •• were done respectfully, but I will disagree. I was part of the working group, and I'm sure that all those that served with me would agree, that we did make hard choices. We certainly did not propose that we have it all. There were many, many projects, though noteworthy and something that would have been something we would have liked to have done, were not included.

As far as the jail is concerned, and the fact that it's 100% local cost, that's precisely because that is one of the responsibilities that we have as a County. This is one of the things that we are responsible for doing, providing a jail. And right now, there is a facility that is woefully inadequate, and I don't want to get into a whole jail debate with you, because we've certainly had many of them, and at the next Public Safety Committee there will be a presentation on the study that was done, and I'm sure we'll be hearing from the advocates for alternatives to incarceration, and yes, the State did say that we led the way in the state as far as employing strategies for ATI, but there's always other things that we can do. But is there enough that can be done to eliminate addressing the problem of a deteriorating facility just by alternatives to incarceration? No. We have to move forward with providing a safe, humane environment for those remanded to the custody of the Sheriff, and particularly for our County employees. Whether they be members of AME, the Deputy Sheriffs, the Correction Officers, everyone working in that facility has a right to be in a safe environment and they are not now.

I do want to thank Budget Review for all of their efforts and all of their insight into the various departments, their analysts, as everyone is aware, that specialize in the various departments in the County, and they really go in there as troubleshooters. As just the way a private company would hire an efficiency expert, we have those efficiency experts in our Budget Review Office that go in there and, from a distance, can look and see things that could be done in a better fashion, and have shared that information with us. And from that, we have come up with this Capital Budget Program that will address infrastructure improvements, that will address

technology improvements, that will address the Community College, and the fact that when the Community College was accredited the last time, which was close to eight years ago, that we were cited as not having sufficient or adequate library at the Eastern Campus. This addresses that, and many, many other issues at the College.

Again, it addresses public safety. And, as Legislator Lindsay said, the helicopter, these are all things that this planning document, that this Capital Program is addressing. I think that everyone that worked on it should be proud of it, and I think that every Legislator who supports it can go out and tell the people that they represent that they are really looking out for the interest of the County, for the interest of the residents of this County, because you cannot ignore simple maintenance, you cannot ignore that in your infrastructure, because if you don't pay to maintain it today, you're going to pay twice as much to replace it tomorrow.

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCIOLO:

Mr. Chairman, is there something that's been included in the omnibus that I'm not aware of with respect to the jail?

P.O. CARACAPPA:

No.

LEG. CARACCIOLO:

Okay. I just want to make that clear for the record. No one should be misled by Legislator Bishop's comments that somehow, manner, shape or form, the omnibus includes funding above and beyond which has been proposed by the Executive; am I correct about that?

P.O. CARACAPPA:

Correct.

LEG. CARACCIOLO:

And, Mr. Spero, how much money has the County Executive included in his Capital Budget for the next three years for the jail?

MR. SPERO:

The total project is two hundred and •• let's just round it up to 231 million dollars. 71.1 million is anticipated to be appropriated this year, another 42.7 in '06, 9.1 million for furniture and equipment in '07, and in subsequent years, 96.6 million for the Phase II component of the project.

LEG. CARACCILO:

I would add that I would think also that the County Executive probably shares many of the sentiments that those who were in favor of alternatives to incarceration, like you, Mr. Bishop, share, and, increasingly, I am becoming more interested in pursuing that. But, at the end of the day, that will require the cooperation of our judges, our prosecutors, and others in various agencies, Probation and elsewhere, that assist us in changing laws, changing procedures and protocols, and permit us more flexibility. We don't have that flexibility today.

The Commission is off to a good start, and I commend you for being that voice in the wild for the longest time to alert the rest of us that there perhaps are ways to save County taxpayer dollars in the future. But that's not what's before us. Before us is a document that a majority of Legislators worked on in a collaborative fashion, Republicans, Democrats, and meet the needs of the County with respect to College, public safety needs. You know, we all know what happened a few months ago when the Police Medevac helicopters were down and we had to call on the State Police temporarily to help provide transport. That's an untenable position, one that we can't afford to happen •• let happen again. And thanks to Legislator Fisher several years ago sponsoring the resolution that provided the first bill to permit Medevac helicopters on the East End, that a number of us cosponsored, we now have an east and west Medevac helicopter. Legislator Carpenter this year sponsored the bill for the new helicopter that we should be receiving delivery on almost any day now, and there is an additional Medevac helicopter in this resolution.

And I don't want to repeat Mr. Spero's opening remarks, where he highlights what this omnibus includes, but the bottom line, and again, to use your words, Legislator Bishop, all this is that we are considering right now is a planning document. Not one penny will be spent until there's an appropriated resolution sponsored by a Legislator or the Executive and approved by a two •thirds vote of this Legislature. Let us and everybody that's listening to this, that reads the transcript, understand that, not one penny. Thank you.

P.O. CARACAPPA:

A motion by myself to approve Budget Amendment Number 1, second by Legislator Lindsay and Carpenter. Roll call.

(Roll Called by Mr. Barton, Clerk)

P.O. CARACAPPA:

Yes.

LEG. LINDSAY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yep.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

No.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILOLO:

Yes.

D.P.O. CARPENTER:

Yes.

MR. BARTON:

17.

P.O. CARACAPPA:

That's approved. If you can jump ahead where there are no conflicts. ***Budget Amendment Number 2***, which was mentioned earlier by our Budget Director, James Spero. These are our sewer projects, Page 6 of 7. Six motion by Legislator Lindsay, I'll second that •• second by Deputy Presiding Officer Carpenter. Roll call.

LEG. BISHOP:

Can I ••

P.O. CARACAPPA:

On the motion, Legislator Bishop.

LEG. BISHOP:

Is there a •• is there a fiscal impact with this omnibus for what the •• what it does to rates in the various sewer districts? Was there a fiscal impact, by the way, with the omnibus bill?

P.O. CARACAPPA:

Yes.

MR. SPERO:

Yeah, we have a •• the note contains what the average fiscal impact would be. The actual cost per district is not included in the notes to the omnibus. Don't forget the district tax increases are capped at a maximum of 3% a year, so once you hit the 3%, you draw down the assessment stabilization reserve funding.

LEG. BISHOP:

And that's inexhaustible?

MR. SPERO:

It's projected to •• it will cover the expenses for the district. And, as I mentioned, Southwest is going to have a huge drop in its debt service in 2009, so it should be ••

LEG. BISHOP:

So, I can •• so, you're telling me, and you're telling Southwest Sewer District Legislators, that this will have no impact beyond ••

MR. SPERO:

The 3% a year.

LEG. BISHOP:

Beyond the 3% that's committed. Okay.

LEG. BINDER:

Mr. Chairman.

P.O. CARACAPPA:

Legislator Binder.

LEG. BINDER:

Just as a note, I think on the last vote, on Number 1, for 2006, which is actually the Capital Budget itself, the rest is out•planning for future years, which will change, but for anticipated, if we did everything for 2006, from my understanding, we decrease the County Executive's submission for 2006 by over one•and•a•half million; is that correct?

P.O. CARACAPPA:

Closer to two.

LEG. BINDER:

Almost 2 million dollars. Thank you.

P.O. CARACAPPA:

There's a motion and second. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. LINDSAY:

Yes.

D.P.O. CARPENTER:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILO:

Yes.

P.O. CARACAPPA:

Yes.

MR. BARTON:

18.

P.O. CARACAPPA:

Very good. Stand•alones. ***Budget Amendment Number 3 (Solar and Renewable Energy Enhancements to County Facilities)***. Motion by Legislator Cooper.

LEG. CARACCILO:

Second.

P.O. CARACAPPA:

Second by Legislator Caracciolo. ***This adds \$50,000 for planning and \$450,000 for construction in 2006 for solar renewable energy enhancements to County facilities.***

LEG. CARACCILO:

Cosponsor, Henry.

P.O. CARACAPPA:

Roll call.

LEG. BINDER:

Wait, Mr. Chairman.

P.O. CARACAPPA:

On the motion, Legislator Binder.

LEG. BINDER:

Where do these numbers come from, \$50,000 for planning and 450 for construction of what particularly, and how do we know what these numbers are? I mean, it sounds wonderful, we want to do renewable energy, but where do these numbers come from?

LEG. COOPER:

It doesn't specify any particular projects, it's open-ended. It could be solar panels on the roof of the William Rogers Building, it could be any other appropriate renewable energy technologies or it moves toward energy efficiency at the County level.

LEG. BINDER:

I guess my question really is, there's \$50,000 for planning. Is 50,000 enough, it's not enough, it's too much? What kind of planning does it take? Who •• is this in house, out of ••

LEG. ALDEN:

Outhouse.

LEG. BINDER:

Outhouse, right. Is this 450,000 enough for one test building? We've looked at it and it could do three buildings. I could make •• I mean, I don't know where this comes from, it's just ••

P.O. CARACAPPA:

Legislator Binder.

LEG. BINDER:

An add of half a million dollars to our budget.

P.O. CARACAPPA:

If you would, Jim, during omnibus, we had Mr. Schroeder come in and we discussed doing •• isn't it Omnibus 1, planning money for an overall plan to use reduce renewable resources in our County facilities?

MR. SPERO:

The omnibus includes 200,000 to develop a plan. That plan should come up with a five-year time line for a 20% reduction in energy costs, and should identify facilities that this technology can be used in.

LEG. BINDER:

Right, but say ••

MR. SPERO:

Right now, the 500,000 is just an ••

LEG. BINDER:

See, right. So, my ••

MR. SPERO:

•• estimate of what we might ••

P.O. CARACAPPA:

Why isn't this a conflict, then, because it adds construction dollars?

MR. SPERO:

It's not in conflict, you can ••

P.O. CARACAPPA:

Why isn't it in conflict?

MR. SPERO:

Oh, because you can keep adding.

LEG. BINDER:

You can •• once you add, you can add on top of it. Adds are easy, you know, just take more from the taxpayers. But the point is, if we have an omnibus, what is a really •• a real planning document, here we're talking about a number that can't be justified, we don't know what the planning is. It may be a feel good number, 450,000, but will we get to it in 2006? The

planning might take longer than 2006, but, yet, we're adding to this budget. This is not just out years, 2007 and program monies, to actually this budget, we're adding \$450,000, which we will most likely never use. So, what is it going to be used for? Everyone knows what it's going to be used for. I won't be here, so, as you've heard and you'll keep hearing for the rest of the year, we won't be here, but someone's going to use for offset money for something else, because they're going to know that we're not going to be doing this, and so it's a little pot of money that's going to be used, and you probably don't want to keep that in front of you.

So, I'm not going to vote for this, because it's in omnibus. And I appreciate the committee working hard to put stuff like this in there and making provisions for this. It's here. We are going to do a renewable. To add this on, it may be a feel-good measure, but it's not money we should increase. Right now, we're at a 2 million dollar decrease below the submission of the County Executive. This would knock a half a million dollars off of that for 2006 for something that's a redundancy, because we have it in omnibus already.

P.O. CARACAPPA:

Legislator Caracciolo •• oh, I'm sorry, Vitoria•Fisher, then Caracciolo.

LEG. VILORIA•FISHER:

Budget Review in terms of the monies that are listed here, \$450,000 for construction in 2006 as enhancement, would any of those monies •• could any of those monies be used to put renewable energies or solar devices on the Fourth Precinct as part of the LEED construction, or is it only for existing buildings?

MR. SPERO:

It's not site specific, so if the Fourth Precinct was selected to be such a site, it could •• these enhancements could be included in that construction.

LEG. VILORIA•FISHER:

They could be. But that construction isn't going to occur until 2007, so this is too soon.

MR. SPERO:

That's right. However, if the fund •• as the planning process moved forward for the Fourth

Precinct and the •• these '06 funds were appropriated next year, they would be available for use in '07. Capital appropriations don't expire at the end of the fiscal year, so ••

LEG. VILORIA•FISHER:

So, they would be available for construction in 2007. Okay, thank you.

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCILOLO:

Thank you, Mr. Chairman. Jim, year over year, what has been the increase in the County's expenditures for energy consumption? And what are the projections for next year? Every consumer knows that gasoline, and home heating oil, and gas has gone up significantly. There are projections that it will go higher next heating season.

While you're fishing that up, I would just once again underscore the fact that, as a nation, we have become too complacent for too long in dealing with our energy needs. As a County, some could make a similar argument, although we have done a number of capital projects like this building that incorporated at the time it was constructed most of the most current state•of•the •art energy efficiencies that we could incorporate in it. And there's really no time to delay.

Now, if you want to make a case that there's money in the omnibus for planning, I think that's a good argument, that maybe the 50,000 in this resolution should be subtracted out and just leave the remainder for actual replacement cost for new systems, but •• because that does seem to be redundant, Jonathan. So, I think if you make that amendment, it might be more palatable to others that right now may not be in favor.

P.O. CARACAPPA:

Which we can do on the floor.

LEG. COOPER:

I'd be amenable to that.

P.O. CARACAPPA:

Okay. So, Budget Amendment Number 3 is being amended, and it will read •• it deletes the \$50,000 for planning and includes only the \$450,000 for construction in the year '06 for renewable energy enhancement to County facilities.

LEG. CARACCILOLO:

Yes, Mr. Chairman. If we can just get that answer now from BRO.

MR. SPERO:

In 2004, the County spent over 20 million dollars for •• in energy for its facilities.

LEG. CARACCILOLO:

And what was it in '03, Jim?

MR. SPERO:

That I don't have handy.

LEG. CARACCILOLO:

I recall not that long ago, it was about 11, 12 million dollars, so it is going up very significantly; am I right about that number, Jim?

LEG. SCHNEIDERMAN:

The cost of energy has gone up.

MR. SPERO:

That's correct, it's ••

LEG. CARACCILOLO:

Yeah. Okay.

P.O. CARACAPPA:

Okay. There was a motion to amend by Legislator Cooper, second by Legislator Caracciolo. All in favor? Opposed? Abstentions? We have to make sure that motion is done to amend the resolution. It is amended as stated and before us. I recognize Legislator Binder.

LEG. BINDER:

Jim, what's the chances of putting something like this, using \$450,000, in next year after •• it has to be appropriated sometime next year. You got to figure January, February, March, and then we've got to appropriate it without a planning, without even knowing where we're going to put it, figuring out where we're going to put it, and putting it in a building somewhere. I mean, are we •• I mean, I guess, as your opinion, do you think this is 450 that will be spent for solar next year, or do you think there's 450 that will be used for offsets?

MR. SPERO:

If the County directed Public Works to attempt to develop an energy program, energy cost savings program, they could pick a County facility and get something in the works. So, don't ••

LEG. BINDER:

Well, wouldn't ••

MR. SPERO:

Don't forget, like I said earlier, the appropriation doesn't expire, so even though you appropriate in '06, the appropriation will be available for expenditure in '07 or '08, as the case may be.

LEG. BINDER:

But wouldn't they need to do •• use the \$200,000 to plan, actually try to figure out where to put it, what's the best use for the expenditure of the funds? The problem is this is not something you can do in a couple of minutes and say, "You know, let's do it on this building," and this will be good as a nice test. I mean, it's something •• I would assume the Omnibus Committee put \$200,000 in for a reason, for an overall plan for renewable energy to see what is the best technology, the best thing to use, and the best place to use it. Wouldn't that make more sense?

MR. SPERO:

Well, first, you have to have a plan, then you have to have the expenditure for the construction. I mean, you need to follow a logical progression, so ••

LEG. BINDER:

Right, that's the point, and that's what's missing here. And to have a straight add, I would

suggest to my colleagues, to put a straight add into our budget for \$450,000 when we have 200,000 to start the planning process, and then understand what the costs are, when they're going to come, and what we would need it for is the proper way to go, not to put \$250,000 because it looks politically good.

P.O. CARACAPPA:

Legislator Lindsay.

LEG. LINDSAY:

Not so much to comment about the stand•alone, but to talk a little bit more about the \$200,000 we added to the omnibus for the audit. The idea is to conduct a County•wide audit of all of our buildings, to take the buildings and to rate them on where we can benefit most by energy conservation projects, and to rate them similarly that the way we rate land acquisition based on payback. And, you know, if we take some of our really old buildings, I mean, just by changing the lighting, the payback on that is a very short time frame, three or four years, but that was the, idea, to come up with this master plan and to rate the buildings as far as where we're going to put the energy conservation dollars based on the payback that they'll bring back to us.

P.O. CARACAPPA:

Okay. There's a motion and a second on the amended amendment. All in favor? Opposed?

[OPPOSED SAID IN UNISON BY LEGISLATORS]

P.O. CARACAPPA:

Opposed, raise your hands.

LEG. BINDER:

Roll call.

P.O. CARACAPPA:

Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. COOPER:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. TONNA:

No.

LEG. BINDER:

No.

LEG. MYSTAL:

No.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Pass.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

No.

MR. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

No.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

No.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Abstain.

LEG. NOWICK:

Yes.

MR. BARTON:

Eight.

P.O. CARACAPPA:

That amendment fails. Moving on to Budget Amendment Number 4. This amendment adds pay •as•you•go funds of \$120,000 for planning and \$45,000 for equipment in 2006, and \$115,000 for planning in 2007. This is integration of business related data bases.

D.P.O. CARPENTER:

If I could, Mr. Chairman.

P.O. CARACAPPA:

Is there a motion?

D.P.O. CARPENTER:

I'll make that motion.

P.O. CARACAPPA:

Motion by Legislator Carpenter, second by Legislator O'Leary.

LEG. CARPENTER:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Carpenter.

D.P.O. CARPENTER:

The County Clerk came before the Working Committee •• Working Group, rather, and really made a case for this. Also, too, it will be a revenue generator.

P.O. CARACAPPA:

Anyone else? Roll call.

(Roll Called by Mr. Barton, Clerk)

D.P.O. CARPENTER:

Yes.

LEG. O'LEARY:

Yes.

LEG. COOPER:

Pass.

LEG. TONNA:

Yep.

LEG. BINDER:

Pass.

LEG. MYSTAL:

No.

LEG. BISHOP:

No.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

No.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILO:

Yes.

P.O. CARACAPPA:

Yes.

LEG. COOPER:

No.

LEG. BINDER:

No.

MR. BARTON:

Ten.

P.O. CARACAPPA:

That amendment passes.

P.O. CARACAPPA:

Budget Amendment Number 5, which is 1678, rehabilitation of ••

D.P.O. CARPENTER:

Mr. Chairman.

P.O. CARACAPPA:

This is •• this is a mistake.

MR. SPERO:

This is included in omnibus.

D.P.O. CARPENTER:

Yeah, this is a conflict.

P.O. CARACAPPA:

This is omnibus. This is a conflict, this is already taken •• this is already taken care of.

Moving on to ***Number 6, 1786, Enterprise Process Data Model. Advances \$225,000 for planning from 2007 to 2006 and changes the funding designation from serial bonds (B) to pay•as•you•go (G).*** Motion by ••

D.P.O. CARPENTER:

Motion.

P.O. CARACAPPA:

Legislator Carpenter, second by Legislator O'Leary.

D.P.O. CARPENTER:

Same story.

P.O. CARACAPPA:

Same story. Roll call.

(Roll Called by Mr. Barton, Clerk)

D.P.O. CARPENTER:

Yes.

LEG. O'LEARY:

Yes.

LEG. COOPER:

Pass.

LEG. TONNA:

Yes.

LEG. BINDER:

Pass.

LEG. MYSTAL:

No.

LEG. BISHOP:

No.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

No.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILOLO:

Yes.

P.O. CARACAPPA:

Yep.

LEG. COOPER:

No.

LEG. BINDER:

No.

MR. BARTON:

Also 10.

LEG. CARACCILOLO:

Mr. Chairman.

P.O. CARACAPPA:

That amendment ••

LEG. CARACCILOLO:

Mr. Chairman.

P.O. CARACAPPA:

•• is approved. I recognize Legislator Caracciolo.

LEG. CARACCILOLO:

The last two budget amendments would take funding that would come out of •• would be bonded under the County Executive's proposal and makes them pay•as•you•go monies, which provides a savings to taxpayers. Why would you not support that? I see party line votes starting to spread here. I'm wondering what's going on.

P.O. CARACAPPA:

I don't know.

LEG. TONNA:

What's going on?

P.O. CARACAPPA:

I don't think that's going to be part of the debate here, that's kind of political.

LEG. CARACCILOLO:

Well, I think taxpayers out there wonder why their elected officials would wait for them to spend more money for equipment and supplies ••

LEG. BISHOP:

You've got to be kidding me.

LEG. CARACCILOLO:

•• than is necessary.

LEG. MYSTAL:

Michael, this is the part, you can't have it all. That's the "You can't have it all" part in the decision that we made.

LEG. CARACCILOLO:

No, no. You're having it, and the way you want to do it is you want to cost the taxpayers more money. This isn't about having it or not having it.

LEG. MYSTAL:

This is about you can't have it all.

P.O. CARACAPPA:

Moving on. ***Budget Amendment Number 7, this is another Clerk. It advances \$775,000 for planning and \$200,000 for equipment from subsequent years to 2006 and changes the funding designation from serial bonds (B) to pay•as•you•go (G).*** Motion by Legislator Carpenter, second by Legislator O'Leary. Same story.

D.P.O. CARPENTER:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Carpenter.

D.P.O. CARPENTER:

On this particular one, it was very interesting when it was explained, because right now the information that is being input for this function is done three times over by three different departments, and by having this unified LAN record system, it eliminates a lot of that duplication, freeing up staff time in each of the departments to be used more productively. Again, a cost saving measure and a revenue generator in the long run.

P.O. CARACAPPA:

Roll call.

LEG. VILORIA • FISHER:

I have a question.

P.O. CARACAPPA:

Oh.

LEG. VILORIA • FISHER:

I'm sorry.

P.O. CARACAPPA:

Speak up. Legislator Vilorina • Fisher.

LEG. VILORIA • FISHER:

Sorry, I wasn't fast enough. May I ask Legislator Carpenter, since she's explaining it, you •• would we be ready to expend the \$200,000 for the equipment? The money is in the budget, but it was in subsequent years, and we're moving •• we're advancing it to 2006.

D.P.O. CARPENTER:

Yes. They ••

LEG. VILORIA • FISHER:

It seemed ••

D.P.O. CARPENTER:

He absolutely demonstrated that they would be ready to spend it. But perhaps Budget Review •• no?

LEG. KENNEDY:

Mr. Chairman and Madam Deputy Chair.

D.P.O. CARPENTER:

Oh, that's it, right.

LEG. KENNEDY:

I can get a little bit into it, too.

D.P.O. CARPENTER:

Yes, since he has firsthand experience.

LEG. KENNEDY:

Right. As Madam Deputy Chair just explained, absolutely. What happens is this project will go ahead and eliminate redundancy within three different departments, the Clerk's, Real Property and County Treasurer's, and certainly the equipment necessary in order to go ahead and house •• this is something that's actually known as normalizing data, which would allow for the efficient transfer amongst the three different departments and the •• not only would it go ahead and result in a savings for us, but it would enhance the web application that's being advanced. So, this contributes directly to revenue generation as well. It has a direct nexus to not a cost, but actually a savings and an enhancement for County operations.

LEG. VILORIA • FISHER:

Okay. But I believe Budget Review was about to say that we wouldn't be ready to expend that in 2006, that we would need more time for the planning?

MR. SPERO:

We agreed with the County Executive's recommendation on this project, because it's dependent upon the •• getting a consolidated GIS system up and running, and that these funds won't be needed right away.

LEG. KENNEDY:

Again, if I can, I don't want to dispute, I guess, BRO's characterization, however, I will indicate that the unified data system can exist and actually has been something that's been modeled for quite sometime, notwithstanding GIS. GIS is the picture that lays on top, so this project can go forward.

LEG. VILORIA • FISHER:

But if I could just reclaim time.

P.O. CARACAPPA:

Yes, you can.

LEG. VILORIA • FISHER:

We had hesitated and put off the GIS system for quite awhile, and I believe we should let that process begin, so I'm going to vote against this, because I don't believe we are ready to move the funds up.

P.O. CARACAPPA:

Roll call.

(Roll Called by Mr. Barton, Clerk)

D.P.O. CARPENTER:

Yes.

LEG. O'LEARY:

Yes.

LEG. TONNA:

No.

LEG. TONNA:

Yeah.

LEG. BINDER:

Pass.

LEG. MYSTAL:

No.

LEG. BISHOP:

No.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

No.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILOLO:

Yes.

P.O. CARACAPPA:

Yes.

LEG. BINDER:

No.

MR. BARTON:

Ten again.

P.O. CARACAPPA:

That budget amendment passes. ***Budget Amendment Number 8 (New Replacement Correctional Facility at Yaphank Correctional)***. Motion by Legislator Bishop. Is there a second?

LEG. CARACCCIOLO:

I'll second it for the purposes of discussion.

LEG. BISHOP:

Mr. Chairman.

P.O. CARACAPPA:

I don't think I heard a second.

LEG. CARACCILOLO:

Right here.

P.O. CARACAPPA:

Oh.

LEG. CARACCILOLO:

Second.

LEG. BISHOP:

Mr. Chairman, this is the direct reduction in the jail project from a new construction to a renovation. However, let it never be said that I didn't do anything for this Legislature, I will withdraw it. You have all •• and I appreciate Legislator Caracciolo's second.

(Applause)

LEG. BISHOP:

You have all •• you have all taken the bad vote already, so you don't need to take a bad vote again.

LEG. CARACCILOLO:

Mr. Chairman •• oh, he withdrew it, all right.

P.O. CARACAPPA:

That's right, it's withdrawn. No more debate on it.

LEG. LINDSAY:

Are you sure you don't want to talk about it?

P.O. CARACAPPA:

Next page, we have a conflict with 9, a conflict with 10. We are now on Budget Amendment Number 11, sponsored ••

LEG. LINDSAY:

That should have been •• that is in omnibus.

P.O. CARACAPPA:

That's in omnibus as well. That is conflicted. Moving on to Number 12.

MR. SPERO:

Well, from a technical point of view, you could •• Number 11, you could continue to add another 500 for construction.

P.O. CARACAPPA:

No, they won't do that. ***Number 12, 5528, this advances construction funding on 5.5 million from subsequent years to 2008 and adds 48 million in subsequent years for construction to address trouble spots and to reflect the total cost of the project. The project name is changed to reflect the expanded scope of the project. There's a motion by Legislator Schneiderman.*** Is there a second? I'll second it this time for the purpose of discussion. Roll call.

LEG. SCHNEIDERMAN:

Again, on the motion, can I explain this very quickly?

LEG. MYSTAL:

No.

LEG. SCHNEIDERMAN:

Yes. Thank you for the courtesy. My fellow Legislators, I have a real serious problems in my district, as anyone who's traveled out there may have discovered. On Route 27, or particularly Route 39, which is ••

LEG. MYSTAL:

That's because you're the Legislator.

LEG. SCHNEIDERMAN:

Let me speak. Ooh, that's going to cost you, Elie. Anyone who's driven out along Route 27 through that Route 39 section, which is a portion in Southampton that runs from the point where it goes from a four•lane highway to a two or three lane highway all the way out to where Route 27 turns, is a terrible gridlock situation. Our own photographer, Bob _Strovnick_ , the other day discovered, it took him an hour•and•a•half to go from Riverhead to Southampton,

because he got caught in what is known as the "trade parade". This may be quite a symptom of a lack of affordable housing that caused so much of the service industry to not be able to live within this area. We are facing tremendous economic problems out on the East End because of what is happening on Route 39 and the inability to reach that area and something must be done.

What I'm asking you to do is, one is to reflect the true cost of the project according to our own Commissioner of Public Works. This is anywhere between a 60 and a 72 million dollar project. We anticipate 80% of this will be paid by outside funds, federal in particular, transportation monies, as the County will cost 20%. It's something that must be done. What I'm asking for is, since we've already committed considerable amount of money toward this project, is to reflect the full amount in subsequent years, and also to move a little bit of money into 2008 to take care of some of the more trouble spots, the worst trouble spots, so we can see some relief in my district. And that is why this is before you, and I urge your support for it.

P.O. CARACAPPA:

Thank you. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. SCHNEIDERMAN:

Yes.

P.O. CARACAPPA:

Sure.

LEG. COOPER:

Pass.

LEG. TONNA:

Pass.

LEG. BINDER:

Pass.

LEG. MYSTAL:

No.

LEG. BISHOP:

No.

LEG. NOWICK:

Pass.

LEG. KENNEDY:

Pass.

LEG. ALDEN:

Pass.

LEG. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

Pass.

LEG. VILORIA • FISHER:

Yes.

LEG. TONNA:

48 million?

LEG. O'LEARY:

I guess they're waiting on me. Pass.

LEG. BINDER:

This is the Majority Leader.

LEG. CARACCILO:

Yes.

D.P.O. CARPENTER:

Yes.

LEG. COOPER:

No.

LEG. TONNA:

You know I'm not running again, no. Forty•eight million.

LEG. BINDER:

Yes.

LEG. SCHNEIDERMAN:

You're never going out to the East End either.

LEG. TONNA:

Only in the winter.

LEG. BINDER:

Yes, subsequent years, yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Abstain.

LEG. SCHNEIDERMAN:

It is in subsequent years.

LEG. LOSQUADRO:

Abstain.

LEG. O'LEARY:

No.

MR. BARTON:

Eight.

LEG. TONNA:

Okay, there you go.

P.O. CARACAPPA:

It fails.

LEG. MYSTAL:

It did?

P.O. CARACAPPA:

Yeah, it failed. Take it off the tally sheet. Next one •• oh, this one's mine, this is a good one. The next one is conflicted, so the next one that's not conflicted is 14.

5556, this is construction of noise abatement structures on County Road 83. This would be between Granny Road and the monument.

LEG. FOLEY:

I'll second the motion.

P.O. CARACAPPA:

Seconded •• I make the motion, seconded by Legislator Foley. This adds 2.5 million dollars for construction in '07. This is a little different than other noise abatement programs that have been proposed by this Legislature. This one actually is in design and engineering stages right now. We've already spent \$500,000 on that portion of it, and not to move forward with the construction would be taking a half a million dollars and throwing it out the window, literally. So, we need the construction dollars. This Legislature voted unanimously to commit to this project last year, end of •• actually, the end of '03 with pay•as•you•go funding, so ••

LEG. BISHOP:

Mr. Chairman.

P.O. CARACAPPA:

I recognize Legislator Bishop.

LEG. BISHOP:

Why didn't this make omnibus?

P.O. CARACAPPA:

Because I didn't want to •• I wanted it as a stand•alone. We made hard choices and I didn't want to bog down omnibus with this dollar amount.

LEG. BISHOP:

I don't know. You added like 70 million dollars, from what I see.

P.O. CARACAPPA:

No. Actually, we decreased 2 million to '06.

LEG. CARACCILO:

Mr. Chairman.

P.O. CARACAPPA:

I recognize Legislator Caracciolo.

LEG. CARACCILO:

Thank you. Where are the residential homes in proximity to this particular location where these abatement barriers would be?

P.O. CARACAPPA:

The real property lines, or the houses themselves?

LEG. CARACCCIOLO:

The houses.

P.O. CARACAPPA:

Well, the real property lines are about four•and•a•half feet from the curb line, and the houses are about ten feet from the curb line.

LEG. CARACCILO:

Okay. What particular area? Can you just narrow it down?

P.O. CARACAPPA:

Yep. Between Granny Road and the monument, the Vietnam Memorial. So, if you're looking •• if you're driving from the Expressway north ••

LEG. CARACCILO:

Right.

P.O. CARACAPPA:

•• as soon as you get past the infamous 7•Eleven in Farmingville, you get up to the next light, that's Granny.

LEG. CARACCILO:

Granny.

P.O. CARACAPPA:

As you're heading up from that point, up the hill to the monument.

LEG. CARACCILOLO:

There are a lot of residential homes in that area?

LEG. FOLEY:

Classic case of poor land use.

P.O. CARACAPPA:

It's literally on top of the roadway on both sides.

LEG. CARACCILOLO:

Okay. I never really noticed. I mean, you do have some trees, but okay.

P.O. CARACAPPA:

With the up •• with the uphill grade on that hill, the trucks, the cars and motorcycles, add to that the weekly car shows held at Bald Hill, it's making their quality of life just simply •• it's horrible.

LEG. BISHOP:

They front ••

LEG. CARACCILOLO:

The new Town Hall on Independence Hill there, is that going to be also buffered? I want to make sure Brian has ••

P.O. CARACAPPA:

No.

LEG. CARACCILOLO:

It's nice and quiet for Brian.

P.O. CARACAPPA:

Town Hall •• no, because it goes right to the Bicycle Path exit. Brian will be able to see the wall, but not •• it won't block his nice view.

LEG. MYSTAL:

Mr. Chair.

P.O. CARACAPPA:

Legislator Mystal.

LEG. MYSTAL:

Do you think I could ever get one like that for Wyandanch?

P.O. CARACAPPA:

If you can get the planning and engineer money approved, you get the construction money.

LEG. ALDEN:

More for Wyandanch?

LEG. MYSTAL:

Yes.

LEG. LINDSAY:

What color did you want it? What color?

LEG. MYSTAL:

What color, right.

P.O. CARACAPPA:

Anyway ••

LEG. MYSTAL:

On Straight Path.

LEG. FOLEY:

Mr. Chairman. Mr. Chairman.

P.O. CARACAPPA:

Legislator Foley.

LEG. FOLEY:

Thank you. Of all the County •• of all the four•lane County roads we have in the County •• Mr. Chairman. Of all the four•lane County roads we have in our County, I can't think of an area that has the houses so close to the roadway. And for those •• well, as much as you're supposed to look forward while you're driving, those who have some time to look either to the right or to the left will see that those houses are right close to the roadway. And, as the Presiding Officer mentioned, it really has impacted their quality of life. And, again, there's I think few other precedence anywhere in the County where you have the houses that close to the roadway. All the more reasons why they really need to have this relief. It's not something that could be duplicated in most other County roadways, because, thankfully, in most other areas they didn't approve site plans that put houses so close to a four•lane road. Thank you, Mr. Chairman.

LEG. ALDEN:

Mr. Presiding Officer.

P.O. CARACAPPA:

Thank you, Legislator Foley. Legislator Alden. I feel a joke coming here.

LEG. ALDEN:

No, it's not a joke, but is this going to be similar to what we used, as far as noise abatement, by Indian Island, where we went over the bridge?

P.O. CARACAPPA:

No.

LEG. ALDEN:

All right.

P.O. CARACAPPA:

I do remember that debate, though.

LEG. ALDEN:

Good. Okay, thanks.

P.O. CARACAPPA:

These will be sound walls as you see along the Expressway, or, if you've traveled on Nicolls Road by •• at the Route 25 overpass, it would be more similar to that. There's a motion and a second. Roll call.

(Roll Called by Mr. Barton, Clerk)

P.O. CARACAPPA:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Pass.

LEG. TONNA:

Yeah.

LEG. BINDER:

Pass.

LEG. MYSTAL:

I'll pass on this one.

LEG. BISHOP:

I don't understand why it wasn't in omnibus. No.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

No.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILO:

Lindsay's not into concrete. Yes.

D.P.O. CARPENTER:

Yes.

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Yeah.

MR. BARTON:

16.

LEG. MYSTAL:

Whoa.

LEG. BINDER:

Oh, my gosh.

P.O. CARACAPPA:

That's nice. Thank you, everyone. My constituents would be very happy to hear about it.

Okay, Dave. Dave, you're next, Number 15.

LEG. BISHOP:

15.

LEG. TONNA:

No, I can't spend.

P.O. CARACAPPA:

7079, Improvement and lighting to County parks. What this does is add pay•as•you•go (G) funds to •• \$15,000 to planning in 2006, 135,000 for site improvements in 2007 for parking facilities at Van Bourgendien County Park. There's a motion by Legislator Bishop. Is there a second?

LEG. BINDER:

Second.

P.O. CARACAPPA:

Second by Legislator Binder.

LEG. TONNA:

On the motion.

P.O. CARACAPPA:

Dave, why wasn't this in omnibus?

LEG. BISHOP:

The vote on omnibus was 17•1.

P.O. CARACAPPA:

Legislator Tonna.

LEG. MYSTAL:

I'll share. We forgot.

LEG. TONNA:

Dave, have you recommitted to the concept of pay•as•you•go money? The last time that we were discussing this on the record, you seemed to think that we'd rather bond for things again, even though you were originator of pay•as•you•go money, the concept.

LEG. BISHOP:

I don't know what you're talking about.

LEG. TONNA:

I'm talking about the •• I'm talking about the incredible stated defense that you gave for County Executive Levy's budget with regard to bonding for almost useless, ridiculous things that should have been in pay•as•you•go.

LEG. BISHOP:

Like what?

LEG. TONNA:

I can't remember, they were so useless and ridiculous.

LEG. BISHOP:

Right, because you're making up the entire exchange. I don't think ••

LEG. TONNA:

No, no. Oh, that's right, you changed your vote at the end and you stick with the pay•as•you •go. All right, now I remember. Okay.

LEG. BISHOP:

All right. Thank you for that gratuitous comment. The situation at this County park is that the park has been expanded for youth activities from the North Babylon, West Babylon community. More and more people go there, more and more people drive there. There is no •• there is a lack of adequate parking, in fact, all the parking occurs on the street. And on a typical day, as you probably have in your district, you have a situation where people are blocking driveways, there's a lot of tension, it's a bad scene. So, the idea here is to plan a parking lot on the facility.

LEG. ALDEN:

And then we can reduce police patrols.

LEG. BISHOP:

Yes.

LEG. TONNA:

I'm for it.

P.O. CARACAPPA:

Legislator Lindsay, then Caracciolo.

LEG. LINDSAY:

This will be the only stand•alone that I'm voting for, because I was of the opinion that everything should be put in the omnibus. And, Dave, don't believe the rest of them on the committee, they're lying to you. I fought like hell for this and they voted me down, so?

LEG. BISHOP:

I appreciate that.

D.P.O. CARPENTER:

Do you want to buy a bridge, Dave?

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCIOLO:

Legislator Bishop, where is the park location and what's the size of the park?

LEG. BISHOP:

Albin Avenue in West Babylon. I don't know how many acres, but I can do it by soccer fields.

There are about four, and now five active soccer fields and the turf field under the Greenways Program is now there, so that adds more pressure on the parking.

LEG. CARACCIOLO:

Okay. Thank you.

P.O. CARACAPPA:

Roll call.

LEG. LINDSAY:

This is where we put the artificial turf?

LEG. BISHOP:

Yeah.

(Roll Called by Mr. Barton, Clerk)

LEG. BISHOP:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yeah.

LEG. MYSTAL:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

No to the money pit.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILO:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yes to a bad omnibus.

LEG. BISHOP:

You guys are no fun.

MR. BARTON:

17.

P.O. CARACAPPA:

That's approved. ***Budget Amendment Number 16. This is restoration of West Neck Farm (Coindre Hall), Huntington and County share for closed loop signal system.***

LEG. COOPER:

Motion to approve.

LEG. BINDER:

Second.

P.O. CARACAPPA:

This is •• you all can read, it's \$800,000 for subsequent years to 2006.

LEG. COOPER:

On the motion.

P.O. CARACAPPA:

There's a motion by Legislator Cooper, second by Legislator Binder.

LEG. COOPER:

On the motion, please.

P.O. CARACAPPA:

On the motion, Legislator Cooper.

LEG. COOPER:

Just briefly, the Coindre Hall boathouse is •• it's an historic structure built in 1921. It's one of the last remaining boat houses of this era, actually, on the eastern seaboard. It's listed on the National Register of Historic Places. Unfortunately, over the years, because of vandalism, and fires, and age, it's fallen into disrepair. And, actually, about half of the structure has been condemned. The boathouse has since 1980 been used by crew teams from high schools in three to four Legislative districts, but because of the condemnation, they're having an extremely hard time putting boats at the boathouse.

The offset for this was suggested by BRO. It's the closed loop traffic signal system. It's a multi •year project. It doesn't decrease the scheduled expenditures, and, actually, even with this amendment, there's still a substantial increase over the amount of money spent in '05 for this project. I believe in '05 they only spent 400,000, perhaps \$500,000, and even with this amendment, we'll still be spending 1.7 million dollars, over four times the '05 expenditure in '06, and the additional \$800,000 has simply been pushed off to '07.

LEG. BINDER:

Mr. Chairman. The boathouse does have a number of kids there. They're high school kids from all over, not just from his •• the one district, the one in the area. And this is really one of the premier places for crew teams to launch from. And it's a County facility, and the bottom line is we shouldn't have kids in a County facility, in a run down facility that's falling apart, and part of it's condemned, so we have a responsibility to keep that up. So, I'd hope we would pass this today. We don't have •• we have an offset, so it's not a cost or an added increase as to •• you know, to the budget, so I would hope we'd do this today. And I hope this takes away any need

for any other boathouse that anyone would plan anywhere else, that they should stay where they are and we should keep them safe where they are.

LEG. ALDEN:

I have a quick question.

P.O. CARACAPPA:

Legislator Alden.

LEG. ALDEN:

Where's the closed loop traffic signal system?

P.O. CARACAPPA:

It's all over the County.

MR. REINHEIMER:

That's on County roads, for several County roads. It's a system for monitoring traffic control lights.

LEG. ALDEN:

For monitoring?

P.O. CARACAPPA:

It's a central station to monitor traffic lights throughout the County on County roadways, intersections. Legislator Mystal.

LEG. MYSTAL:

My colleagues, you've got to give this some consideration. Any time you get Cooper and Binder on the same bill, come on, you guys. I mean, this is the most unusual thing that happened the whole year.

P.O. CARACAPPA:

That's why I'm ••

LEG. MYSTAL:

Cooper ••

P.O. CARACAPPA:

That's why I'm leery of doing it.

LEG. MYSTAL:

I know. Thank you. At least somebody understands me. I mean, whoa.

LEG. BINDER:

You don't look like O'Leary.

P.O. CARACAPPA:

Okay. There's a motion and a second. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. COOPER:

Yes.

LEG. BINDER:

Yes.

LEG. TONNA:

Yeah.

LEG. MYSTAL:

Yeah.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Pass.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

No.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Pass.

LEG. VILORIA • FISHER:

Pass.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Pass.

LEG. CARACCILO:

No.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yep.

LEG. ALDEN:

Abstain.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. SCHNEIDERMAN:

Yes.

MR. BARTON:

Mr. Foley, did you pass or vote yes.

LEG. FOLEY:

Yes.

MR. BARTON:

Oh, you did, okay.

LEG. FOLEY:

I'm sorry.

MR. BARTON:

15.

LEG. COOPER:

Thank you.

P.O. CARACAPPA:

That's approved. ***Amendment Number 17, 7145. This is for \$200,000 for construction***

in 2006, parking and signage improvements to newly acquired parkland adjacent to Navy Road Park in Montauk. Motion by Legislator Schneiderman, second by Legislator Caracciolo. Roll call.

LEG. BISHOP:

Why is this a lot more than my lot?

P.O. CARACAPPA:

Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yeah.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Pass. I don't know what we're talking about.

LEG. BISHOP:

Pass.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Abstain.

LEG. MONTANO:

Pass.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Pass.

LEG. O'LEARY:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yes.

LEG. MYSTAL:

No.

LEG. BISHOP:

No.

LEG. MONTANO:

No.

LEG. VILORIA • FISHER:

No.

MR. BARTON:

11.

P.O. CARACAPPA:

It's approved. ***Number 18, 7156, Astronomical Observatory at Third House.***

LEG. MYSTAL:

Astronomical?

P.O. CARACAPPA:

Astronomical for sure. Adds \$50,000 for construction, \$150,000 for furniture and equipment in 2006 for an Astronomical Observatory at the Third House in the Theodore Roosevelt County Park.

LEG. MYSTAL:

Isn't that in Nassau County?

LEG. SCHNEIDERMAN:

Motion.

P.O. CARACAPPA:

Motion to approve by Legislator Schneiderman, second by Legislator O'Leary. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. SCHNEIDERMAN:

Yes.

LEG. O'LEARY:

Yes.

LEG. COOPER:

Pass.

LEG. TONNA:

Pass.

LEG. BINDER:

Yes.

LEG. MYSTAL:

No.

LEG. BISHOP:

No.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Abstain.

LEG. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. CARACCILO:

No.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yeah.

LEG. COOPER:

No.

LEG. TONNA:

No.

MR. BARTON:

Nine.

P.O. CARACAPPA:

That one fails. ***Number 19, this restores the land acquisition money that was removed from Capital Budget, \$8,333,000.*** Motion by Legislator Caracciolo, second by Legislator Schneiderman. Roll call.

LEG. VILORIA • FISHER:

Oh, on the motion.

P.O. CARACAPPA:

On the motion, Legislator Vilorio•Fisher.

LEG. VILORIA•FISHER:

Thank you, Mr. Chair. I was going through today's agenda, and just with the approval of the acquisitions that are on today's agenda, we come to well over 5 million dollars. And it would seem to me that saying that we need to spend at least three and change before December of '06 certainly doesn't •• it doesn't preclude one from supporting the programs and understanding that we need to have the full amount that's available under the Multifaceted Program.

It's true that Workforce Housing has not expended very much money, but as a member of the Workforce Housing Commission, we see before us a number of projects that might get legs in the near future, and we want to be able to support those programs. We do have Patchogue before us, and there's a project that's being planned out in •• is it Westhampton, the project that came before us in Workforce Housing?

LEG. SCHNEIDERMAN:

Yeah, the Village of Westhampton Beach.

LEG. VILORIA•FISHER:

The Village of Westhampton Beach. There are a number of projects that are in the pipeline and we should be prepared for those.

The people in Suffolk County, in Proposition 1, overwhelmingly supported the expenditure of money for open space preservation. And notwithstanding the speaker who came before us this morning who said how important it was for him to have workforce housing, as well as open space, the people in Suffolk County sincerely voted for SOS with TDR's. And so I believe that we should abide by the will of the people and keep the money in our Multifaceted Program.

LEG. MYSTAL:

Mr. Chair.

P.O. CARACAPPA:

Legislator Mystal.

LEG. MYSTAL:

With all due respect, Legislator Viloría•Fisher, I don't mind supporting this bill in terms of the 8 •• putting the 8 million back, but I don't want it mingled with the Open Space Program, because I have a bad feeling that once you get into that stream of money, where it's the same money that we can buy open space with, that money will be gone to buy open space. I would like to •• if somebody can come up with a bill, maybe I'll come up with it, to put a dedicated line, a dedicated line for affordable housing or workforce housing, we can put that money in there. But as long as that money is going and being comingled, supposedly, with open space money, I have a bad feeling that it's going to be expending open space money, because I don't think we're going to find a whole bunch of land out here to buy for all that money, because the land that we could build on, and what has been said around this horseshoe, anybody could •• you know, is skirting around it.

As much as we talk about affordable housing in terms of downtown of anywhere in Suffolk County, we don't have a whole bunches of downtown, wherever there's supposed to be a downtown. That's number one. So, wherever we were supposed to buy land to build affordable homes is probably the same place where we're trying to preserve. So, unless we put that money in a separate account, separate line, dedicated for affordable housing land buying, I'm not voting for diddly.

LEG. VILORIA•FISHER:

May I respond?

LEG. FOLEY:

How about Bo Diddly.

LEG. VILORIA•FISHER:

Just very briefly.

LEG. MYSTAL:

I'll vote for Bo.

LEG. VILORIA • FISHER:

I do, in essence, agree with what Legislator Mystal has said, because there was money that was dedicated to the Affordable Housing Program and was absorbed into the Multifaceted Program. And I think that to ensure that that money is earmarked, we should look at a way to earmark that money again. But I do want to keep the money in the program.

LEG. MYSTAL:

I'll vote later on to put it back in.

P.O. CARACAPPA:

Before we vote on this, keep in mind, I know that the argument's been made why we removed this money, because we have such a surplus in all funds for whether it be open space, parkland, multifaceted, workforce housing, let's not forget the townships, the eastern towns. They have the •• their transfer taxes are growing at an alarming rate for land preservation. The Town of Brookhaven just did a 100 million dollar bond act as well along with our 80 •• 75 million dollar bond act. Land acquisition monies are •• and money for workforce housing is doing very well. The programs have to catch up to the amount of funding streams that we have.

So, the point I'm just trying to make is don't just look at the County as the only source of funding for land acquisitions, the towns, primarily Brookhaven and the five eastern towns, have really done their part lately as well, so it's there. Legislator Caracciolo.

LEG. CARACCILO:

Thank you, Mr. Chairman. I'd like to draw BRO's attention to Figure 4 in the BRO report on Page 11, because this is a chart, General Fund debt service course chart that I think many have made reference to, at least I've heard over the last month or so since the Capital Budget's been introduced, and say, "Wow, did you see that chart in the BRO report and how much more the County is going to be borrowing to fund debt for land acquisitions?" First, let me point out that every single major county Land Acquisition Program, not we, but the voters of Suffolk County have voted for. 1998, Greenways Program, 62 million dollars, which I cosponsored; 2001 Environmental Bond Act, which I sponsored, 62 million dollars; and last year's Save Open Space, 75 million dollars. Every single one of them were supported by the voters of Suffolk

County. But more importantly to the chart, because you see this massive green area on the bottom of the chart, which is really •• and I'd like BRO to explain the chart, you have a dark green, you have the black line, you have maroon, and reds, and yellows, and then the light green at the top. How much money in 2006 •• well, let me go back to 2005, the current year. How much money today are we spending for land acquisition debt today? Robert?

MR. LIPP:

Typically, we spend about on average ••

LEG. CARACCILOLO:

No, no, looking at this chart. I want to make sure I understand this chart.

MR. LIPP:

Okay. What this chart is is debt service.

P.O. CARACAPPA:

Yeah. For this year, how much money is for land acquisition?

MR. LIPP:

Well, in this chart for this year, it doesn't break it out what.

What it does is the ••

LEG. CARACCILOLO:

Because? Why doesn't it break it out?

MR. LIPP:

The bottom area, the light green area is all existing bonds, the debt service in all existing bonds. What the layered colors do above that is it projects what the additional costs would be of different pieces, and the top one, the ••

LEG. CARACCILOLO:

The land acquisition.

MR. LIPP:

The shaded green is the land acquisition portion. The yellow and the red just below it are the

Phase I and Phase II of the jail. The magenta, I guess it is, I'm a little color blind ••

LEG. CARACCILOLO:

Yes.

MR. LIPP:

•• is the •• is all other capital projects, other than the land in the jail. And then, lastly, the little black sliver is what we just borrowed last month, or the beginning of this month.

LEG. CARACCILOLO:

And what's below that, the dark green?

MR. LIPP:

The green on the bottom is existing •• existing debt service if we did not spend a dime on any additional borrowings at all.

LEG. CARACCILOLO:

Just focus, then at •• as Robert just indicated, there will be increases, but every one of those increases have been supported by taxpayers and taxpayer dollars. So, I think disproportionately people have referred to this chart incorrectly and make it appear as though, "Oh, my goodness, the sky is going to be falling, the County's indebtedness is going way up," and, as David's been saying all along, the other major component that's going to drive up our debt cost is the new jail, and that's an item we have no control over. So, put things in perspective.

LEG. MYSTAL:

Mr. Chair. Putting things in perspective, a couple of questions; okay? I'm going to ask BRO a couple of questions. Just one question, BRO. How much money have we spent so far buying land, one, buying land for preservation, and how much money have we spent so far buying land for affordable housing, between the two?

P.O. CARACAPPA:

Just try and get some ballpark answers on that.

LEG. MYSTAL:

Ballpark, doesn't have to be exact. You know, just ••

MR. SPERO:

Specifically, for affordable housing, it's 1.9 million I mentioned earlier today.

LEG. MYSTAL:

We have spent 1.9 million for affordable housing. How much have we spent to acquire land around this County?

MR. SPERO:

Well, in our report we mentioned that, including the funding included in the proposed program, the County would spend over 900 million dollars •• will have spent over 900 million dollars for land.

LEG. MYSTAL:

Nine hundred million that we have spent to preserve land. We have bought so far 1.9 million for affordable home. Hello.

LEG. CARACCILO:

Mr. Chairman.

LEG. MYSTAL:

Is something wrong?

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCILO:

Yeah. We've had a Land Preservation Program, Mr. Mystal, in this County for over 30 years, we've had an Affordable Housing Program for five. And, as you well know and as you stated last week at the Ad Hoc Committee on Affordable Housing •• Elie. Elie.

LEG. MYSTAL:

Yes, sir.

LEG. CARACCIOLO:

Okay. First, we've had a Land Preservation Program that began more than 30 years ago, three decades. We've had an affordable housing program that only began only five years ago. But, as you noted last week when we were in the Ad Hoc Committee on Affordable Housing, whose role is it ultimately to provide affordable housing?

LEG. MYSTAL:

The town.

LEG. CARACCIOLO:

The State, the County, or ••

LEG. MYSTAL:

The town.

LEG. CARACCIOLO:

The town. Thank you very much.

P.O. CARACAPPA:

Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. CARACCIOLO:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. COOPER:

Pass.

LEG. TONNA:

Yes.

LEG. BINDER:

Pass.

LEG. MYSTAL:

No.

LEG. BISHOP:

Pass.

LEG. NOWICK:

Pass.

LEG. KENNEDY:

No.

LEG. ALDEN:

Abstain.

LEG. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

No.

D.P.O. CARPENTER:

Abstain.

LEG. TONNA:

Just change my vote to a no.

P.O. CARACAPPA:

No.

LEG. TONNA:

I thought eight thousand three hundred. I'm looking at this and I thought it was eight thousand.

LEG. COOPER:

Yes.

LEG. TONNA:

Sorry. Sorry, Michael.

MR. BARTON:

Tonna, you're a no?

LEG. TONNA:

I was good for eight thousand.

LEG. BINDER:

No.

LEG. TONNA:

I didn't know it was eight million.

LEG. BISHOP:

Yes.

LEG. TONNA:

I can't see it.

LEG. NOWICK:

Abstain.

MR. BARTON:

Seven.

P.O. CARACAPPA:

And the last one, which is ***22, which is not conflicted, 7510, adds 200,000 for planning in 2006 to hire a structural engineer and architectural historian to provide a priority list and maintenance schedule for historic county buildings.*** Why are we doing this with capital dollars? Is there a motion?

D.P.O. CARPENTER:

On the motion.

P.O. CARACAPPA:

Is there a motion?

LEG. SCHNEIDERMAN:

I'll make a motion.

P.O. CARACAPPA:

Motion to approve by Legislator Schneiderman.

D.P.O. CARPENTER:

I'll make a second.

P.O. CARACAPPA:

Second by Legislator Carpenter.

D.P.O. CARPENTER:

Just for the purposes of discussion. I think this is probably very, very needed, but it really is more appropriate in the Operating Budget. We have a County Historian, but he's really stretched. Things are not getting done in a timely fashion. So, please remember this for the Operating Budget.

LEG. SCHNEIDERMAN:

I'll withdraw it, but I've ••

P.O. CARACAPPA:

It's withdrawn.

LEG. SCHNEIDERMAN:

I think it's critical that we do this, because we need to know where to focus our attention and develop a maintenance schedule for these buildings.

P.O. CARACAPPA:

You say Operating?

LEG. TONNA:

I'd like to make a motion to reconsider Resolution Number 18, I guess, 7156.

D.P.O. CARPENTER:

What page?

LEG. TONNA:

That's on the last page, it's Number 18 on the resolutions.

P.O. CARACAPPA:

Number 18, 7156.

LEG. TONNA:

Yeah.

P.O. CARACAPPA:

Which is the observatory at Third House ••

LEG. TONNA:

Observatory.

P.O. CARACAPPA:

•• which failed.

LEG. TONNA:

I thought they should have used the first or the second, but when the Legislator explained to me the Third House was really important, then I wanted to reconsider my vote.

LEG. SCHNEIDERMAN:

I'd be happy to explain this project before the next vote.

P.O. CARACAPPA:

There's a motion to reconsider by Legislator Tonna, second by Legislator Schneiderman. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Budget Amendment Number 18 is now before us again. There's a motion by Legislator Schneiderman, second by Legislator Caracciolo, to approve. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCIOLO:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. MYSTAL:

No.

LEG. BISHOP:

No.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Abstain.

LEG. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

What did I do the first time?

LEG. SCHNEIDERMAN:

Just say, yes, Joe.

MR. BARTON:

The first time you were yes.

P.O. CARACAPPA:

I'll be no this time •• no. Yes.

LEG. SCHNEIDERMAN:

Thank you.

MR. BARTON:

12.

LEG. SCHNEIDERMAN:

Thank you.

P.O. CARACAPPA:

You picked up more votes than the first time. Okay. That wraps up the Capital Budget and the amendment process. I'd like to sincerely, on behalf of the entire Legislature, thank Budget Review.

(Applause)

LEG. MYSTAL:

Can we recess for five minutes?

P.O. CARACAPPA:

Our Budget Director, Jim Spero, of course we know this was your last budget process. Well, it's not over yet, there's still vetoes to contend with and overrides. But to you and Deputy Director Gail Vizzini, and of course Lance, and all the members of Budget Review staff, we'd like to thank you for your time, dedication and, of course, your talents in working on this most recent Capital Budget. Thank you so very much.

D.P.O. CARPENTER:

Yes.

(Applause)

P.O. CARACAPPA:

Did I hear a request for a five-minute recess?

LEG. MYSTAL:

Yeah. Stretch our legs.

P.O. CARACAPPA:

Cameron wants one and Elie wants one.

LEG. BISHOP:

Why? We're almost done.

P.O. CARACAPPA:

Five •• we're going to take a recess for just five quick minutes. We'll be back in five minutes.

[THE MEETING WAS RECESSED AT 4:30 P.M. AND RESUMED AT 4:48 P.M.]

P.O. CARACAPPA:

Okay. Roll call, Henry. Thanks.

(Roll Called by Mr. Barton, Clerk)

LEG. CARACCILOLO:

(Not Present).

LEG. SCHNEIDERMAN:

(Not Present)

LEG. O'LEARY:

(Not Present)

LEG. VILORIA • FISHER:

(Present)

LEG. LOSQUADRO:

(Not Present)

LEG. FOLEY:

Present.

LEG. LINDSAY:

Here.

LEG. MONTANO:

Yes, here.

LEG. ALDEN:

Here.

LEG. KENNEDY:

(Not Present)

LEG. NOWICK:

(Not Present)

LEG. BISHOP:

(Not Present)

LEG. MYSTAL:

Here.

LEG. BINDER:

(Not Present)

LEG. TONNA:

Here.

LEG. COOPER:

Here.

D.P.O. CARPENTER:

(Not Present)

P.O. CARACAPPA:

I'm here.

LEG. BINDER:

Did you forget me again?

MR. BARTON:

No, I got you, Mr. Binder.

LEG. BINDER:

Okay.

MR. BARTON:

Ten present.

LEG. CARACCILOLO:

Here, Henry.

P.O. CARACAPPA:

What did you say, we have ten? Very good. Going back to the agenda, Ladies and Gentlemen.

ENVIRONMENT, PLANNING AND AGRICULTURE

1622 (Authorizing the acquisition of farmland development rights under the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund for the Dosiak property (SCTM No. 0200•507.00•04.00•010.000 p/o, Town of Brookhaven)
is where we left it before we broke for lunch.

MR. BARTON:

Yes.

LEG. CARACCILOLO:

Motion to table.

P.O. CARACAPPA:

There was a motion to recommit. That ••

LEG. LOSQUADRO:

Mr. Chairman, I'll withdraw that and make a motion to table.

P.O. CARACAPPA:

That motion has been withdrawn, and just a motion to table, and we'll straighten out the details over the next couple of weeks, and, hopefully, have it done at the next meeting. So, for one

cycle, we're going to make a motion to table this, second by Legislator •• that was made by Legislator Caracciolo, second by Legislator Losquadro. All in favor? Opposed? For one cycle.

MR. BARTON:

18.

P.O. CARACAPPA:

1623.

LEG. FOLEY:

Opposed to table, Mr. Chairman.

P.O. CARACAPPA:

There's one opposition, Legislator Foley.

MR. BARTON:

17.

P.O. CARACAPPA:

1623 (Authorizing the acquisition of farmland development rights under the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund for the Andruszkiewicz property (SCTM No. 0600•068.00•03.00•003.000 p/o, Town of Riverhead). Is there a motion?

LEG. CARACCIOLO:

Motion.

P.O. CARACAPPA:

Motion by Legislator Caracciolo, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

LEG. CARACCIOLO:

Cosponsor, Henry.

MR. BARTON:

18.

P.O. CARACAPPA:

1624, 24A (Authorizing the acquisition of farmland development rights under the Suffolk County Multifaceted Land Preservation Program (Terry Farm • Town of Southold • SCTM No. 1000•020.00•03.00•003.000 p/o). Motion by Legislator Caracciolo, second by Legislator Schneiderman. Roll call.

LEG. CARACCIOLO:

Cosponsor, Henry.

(Roll Called by Mr. Barton, Clerk)

LEG. CARACCIOLO:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

MR. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yeah.

MR. BARTON:

18 on the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution. **1625 (Authorizing the acquisition of land under the first (1987, as amended 1996) 1/4% Suffolk County Drinking Water Protection Program • the Nature Conservancy as contract vendee and/or owner (W.J.F. Realty Corp. • Town of Southampton (SCTM No. 0900•248.00 •01.00•002.000 p/o).** There's a motion by Legislator Schneiderman.

LEG. FOLEY:

Second.

P.O. CARACAPPA:

Second by Legislator Foley.

LEG. ALDEN:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Alden.

LEG. ALDEN:

I just have a couple of quick questions. I don't know who can answer this, but maybe the Chairman of that Committee through the Chair here. I believe that, and I'm not on this committee, but I believe that there was testimony as to the amount of this property that can be developed.

P.O. CARACAPPA:

Legislator Losquadro, as the Chair of the Committee.

LEG. LOSQUADRO:

Legislator Alden, I believe at this point we're talking about, Legislator Schneiderman, if you can correct me, about 200 Pine Barrens credits that would be transferable. So, if you were to break it down that way, our share would only be, if I did the math correctly, if my memory serves me

correctly, it would only be about \$18,000 a credit for our share that we're •• that we're paying. These are transferable development credits.

LEG. ALDEN:

Okay. But it's a land acquisition, though, right?

LEG. SCHNEIDERMAN:

Yes. We're going to own •• we're going to own the fee, we're going to own the actual dirt, yes.

LEG. ALDEN:

Right. But on the land itself, how much of it is able to be developed or is there some •• some of this is under water and things like that, right?

LEG. SCHNEIDERMAN:

I'd be happy to answer this, but I feel Kevin McDonald from the Nature Conservancy is better qualified to answer ••

LEG. ALDEN:

Well, that's up to the Chairman.

LEG. SCHNEIDERMAN:

•• and he's been waiting here all day, as well as Pat Zelienski. So, if the Chair would recognize ••

P.O. CARACAPPA:

I'd rather not. Let's just ••

LEG. SCHNEIDERMAN:

Okay. I'll do my best to answer your questions. So, there is potential development on this property. This is a subject of 20 years of litigation. And this is resolving any possibility of development, as well as sterilizing 200 units of development in the Westhampton area.

LEG. ALDEN:

I understand this property, there's not a lot of development that could take place on this

property.

LEG. SCHNEIDERMAN:

There's some questions as to the extent of development that could occur on this particular property.

LEG. ALDEN:

All right. Then, having established that, and ••

LEG. SCHNEIDERMAN:

That is not to say it's commercially zoned, that's not to say that it is not at all developable, that is the subject of the litigation.

LEG. ALDEN:

Right. And from what I saw in the litigation, it's highly unlikely or speculative that any development would take place on this property. But, again •• well, let's get past that. Nature Conservancy, I have a fax transmittal here that lists some closing costs that they should be reimbursed for, but in the resolution, there's a lot of interest, interest payments. I don't have the •• I don't have the resolution in front of me, but there's a substantial amount of money for interest payments that aren't on this •• on this fax transmittal.

LEG. SCHNEIDERMAN:

Those will be paid by the Town of Southampton, not by Suffolk County.

LEG. ALDEN:

No payments for interest by Suffolk County.

LEG. VILORIA • FISHER:

No.

LEG. SCHNEIDERMAN:

That is my understanding.

LEG. VILORIA • FISHER:

Right.

LEG. SCHNEIDERMAN:

That's my understanding.

LEG. VILORIA • FISHER:

No.

LEG. LOSQUADRO:

That's correct.

LEG. SCHNEIDERMAN:

The interest will be borne entirely by ••

LEG. VILORIA • FISHER:

By the Town.

LEG. SCHNEIDERMAN:

•• the Town of Southampton.

P.O. CARACAPPA:

Okay. Anyone else? There's a motion and a second? All in favor?

[OPPOSED SAID IN UNISON BY LEGISLATORS]

Opposed, Legislator Bishop, Mystal, Alden.

LEG. BINDER:

Binder.

P.O. CARACAPPA:

Binder.

MR. MONTANO:

Montano.

P.O. CARACAPPA:

Montano.

LEG. BISHOP:

No, I'm for it.

P.O. CARACAPPA:

I'm sorry. I said Bishop, I meant Binder. Sorry.

MR. BARTON:

14.

HEALTH AND HUMAN SERVICES

P.O. CARACAPPA:

Health and Human Services. ***1282, 82A (Amending the 2005 Capital Budget and Program and appropriating funds in connection with a Methadone Maintenance Information System).***

LEG. VILORIA•FISHER:

Motion.

LEG. FOLEY:

Second.

LEG. MYSTAL:

Explanation.

P.O. CARACAPPA:

There's a motion by Legislator Viloría•Fisher, second by Legislator Foley. Legislator Fisher •• Viloría•Fisher, what's the total amount for this?

LEG. VILORIA•FISHER:

Okay. I'm sorry. I have to go back to the legislation. Budget Review what's the total amount?

I'm sorry, I don't have my ••

MS. VIZZINI:

This is two hundred four•four•ten.

P.O. CARACAPPA:

Two hundred and four thousand dollars?

MS. VIZZINI:

Two hundred and four thousand four hundred and ten dollars for the equipment.

LEG. VILORIA•FISHER:

And this is a program that went through the RFP process.

P.O. CARACAPPA:

No.

LEG. VILORIA•FISHER:

Okay.

P.O. CARACAPPA:

I'm not concerned about the program and what it's doing, I'm concerned about the method of financing.

LEG. VILORIA•FISHER:

Well, Gail, if I'm correct, this had been in the budget and somehow •• it had been in the 2004 budget, right, Gail? And the RFP process had gone through, it had been approved, and it was lost in the shuffle, the program never went forward, and so we reintroduced it in this budget.

P.O. CARACAPPA:

It was always capital, it was always for bond ••

LEG. VILORIA•FISHER:

It had been capital in the budget the year before.

MS. VIZZINI:

Apparently, yes, it had been bonds. It is, however, equipment, software equipment, if I'm ••

MR. ORTIZ:

It's a machine.

LEG. FOLEY:

It's not software, it's a machine.

MS. VIZZINI:

It's a machine.

LEG. FOLEY:

It's a machine.

P.O. CARACAPPA:

Okay.

P.O. CARACAPPA:

It's a machine that dispenses the methadone. It measures the dosages, and it's supposed to be very cost effective.

P.O. CARACAPPA:

Does it have a life span over five years.

LEG. FOLEY:

It's well over five years.

LEG. VILORIA • FISHER:

Yes.

LEG. FOLEY:

And within two years, the cost will be recovered.

LEG. TONNA:

We went over this thoroughly for two committee meetings.

P.O. CARACAPPA:

Very good. I just had to ask the questions.

LEG. TONNA:

And we even had a demonstration and saw it.

P.O. CARACAPPA:

There's a motion and second. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. VILORIA • FISHER:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yeah.

LEG. BINDER:

No.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Abstain.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. LOSQUADRO:

Me?

MR. BARTON:

Yes.

LEG. LOSQUADRO:

I'm sorry, someone was speaking. Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILOLO:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yes.

MR. BARTON:

16•1•1.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution. Next page, 14, ***1293 (A Local Law to regulate the use of tanning facilities for minors in Suffolk County)***.

LEG. BINDER:

Motion to table.

P.O. CARACAPPA:

Motion to table by Legislator Binder, second by myself. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1563.

LEG. VILORIA•FISHER:

Opposed to table.

P.O. CARACAPPA:

One opposition to that tabling.

MR. BARTON:

17.

P.O. CARACAPPA:

1563 (Approving the reappointment of Cristina C. Bonuso as a member of the Suffolk County Youth Board Coordinating Council representing Legislative District No. 5).

Legislator Viloría Fisher?

LEG. VILORIA•FISHER:

Pardon? Oh, I'm sorry.

P.O. CARACAPPA:

I'll defer to you.

LEG. VILORIA•FISHER:

Motion to approve.

P.O. CARACAPPA:

Motion to approve by Legislator Viloría•Fisher, second by Legislator Foley. All in favor?

Opposed? Abstentions?

MR. BARTON:

18.

PARKS AND CULTURAL AFFAIRS

Parks and Cultural Affairs. ***1471 (Authorizing use of Smith Point County Park by IGHL Foundation on behalf of the families by TWA Flight 800 for their sunset evening at the Memorial Fundraiser).***

LEG. FOLEY:

Motion.

P.O. CARACAPPA:

Motion by Legislator Foley.

LEG. O'LEARY:

Second.

P.O. CARACAPPA:

Second by Legislator O'Leary. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1500 (Authorizing use of the Long Island Maritime Museum by the Cystic Fibrosis Foundation for their "Annual Run/Walk and Barbecue" Fundraiser).

LEG. CARACCILO:

Motion.

P.O. CARACAPPA:

Motion by Legislator Caracciolo, second by Legislator Alden. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1501 (Authorizing use of Indian Island County Park by Birthright of Peconic, Inc., for its Walkathon Fundraiser). Motion by Legislator Schneiderman, second by Legislator Caracciolo. All in favor? Opposed? Abstention?

MR. BARTON:

18.

P.O. CARACAPPA:

1572 (To waive park fee for Bay Area Head Start annual picnic at Southaven County Park). Motion by Legislator O'Leary.

LEG. ALDEN:

Second.

P.O. CARACAPPA:

Second by Legislator Alden. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1628 (To partially waive fee for use of the County showmobile for the Riverhead Blues Festival). Motion by Legislator Caracciolo.

LEG. SCHNEIDERMAN:

I'll second.

P.O. CARACAPPA:

Second by Legislator Schneiderman.

LEG. SCHNEIDERMAN:

For discussion.

LEG. MYSTAL:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Mystal.

LEG. MYSTAL:

I don't mind voting for this thing. Are we going to establish some kind of a policy that, if it's a fund-raiser where we're just going to raise money, we're going to charge them a fee, if it's a not-for-profit, who doesn't •• who's not going to charge any money, we're going to waive the fee? Is that the deal?

LEG. CARACCCIOLO:

I'm sorry, Elie. What was the question?

LEG. MYSTAL:

Well, in terms of fee for parkland or beach, you know, whatever the person is using, are we going to establish, or is there a policy, or should we set a policy that if we are going to waive the fee for something that is going to charge people money, in other words, a fund•raiser ••

LEG. CARACCILOLO:

It's a for•profit venture.

LEG. MYSTAL:

It's a for•profit venture. And then why would we want to waive the fee?

P.O. CARACAPPA:

This is a for•profit venture? This isn't.

LEG. CARACCILOLO:

The Jazz Festival?

P.O. CARACAPPA:

The Blues Festival.

LEG. CARACCILOLO:

The Blues.

LEG. MYSTAL:

Yes. It's a for•profit venture. They're going to charge people to come in.

LEG. CARACCILOLO:

Well, they charge.

LEG. CARPENTER:

No, they do not charge to go to it.

LEG. CARACCILOLO:

It's free? Okay.

LEG. MYSTAL:

Is it free?

P.O. CARACAPPA:

It's your bill, Mike.

LEG. CARACCILOLO:

No, no, no. I was under the impression there was some kind of a fee associated, but if there's not ••

D.P.O. CARPENTER:

If I could respond.

P.O. CARACAPPA:

You could.

LEG. CARACCILOLO:

Yes, go ahead.

D.P.O. CARPENTER:

There is no fee to the ••

LEG. CARACCILOLO:

Okay.

D.P.O. CARPENTER:

The Riverhead Blues Festival is an open ••

LEG. CARACCILOLO:

All right. So, it is a not•for•profit. It's similar to what we've done in the resolution just before this.

LEG. MYSTAL:

Okay, then I have no problem.

LEG. CARACCILOLO:

Yeah.

LEG. VILORIA • FISHER:

Oh, yeah, I went last year. There's no fee.

LEG. MYSTAL:

Then, I have no problem. We just question, you know, if somebody's going to make money, I figure they should pay us. If they're not going to make any money, no problem.

LEG. CARACCILOLO:

Okay.

P.O. CARACAPPA:

Legislator Lindsay.

LEG. LINDSAY:

Question. The other issue here, this is •• you know, this is actually going to cost us money, because we have to send out a crew with the showmobile to set it up, stay with it. I don't know whether it's a multi•day event, but it's probably on overtime. So, you know, this isn't just waiving a fee, you're actually going in your pocket to pay wages to bring the thing out there.

And although there's no fee, I believe there's sponsors, if I'm not mistaken, Angie.

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCILOLO:

Yeah. I would also point out that the festival generates a significant amount of sales tax revenue to local businesses and vendors that, you know, are there.

LEG. ALDEN:

On the motion.

LEG. CARACCILOLO:

So, I think the County, you know, gets a fair share of what it's investing here by waiving this fee.

P.O. CARACAPPA:

Legislator Alden.

LEG. ALDEN:

Just to offer another alternative to waiving the fee here and establishing what I think is a dangerous precedent, I had offered, Legislator Caracciolo, to look into some possibility of funding for this, fully funding it.

LEG. NOWICK:

Fully?

LEG. ALDEN:

Fully funding.

P.O. CARACAPPA:

Fully. Mr. Zwirn.

LEG. CARACCILOLO:

The organization called my office. We have a letter from the Supervisor of the Town of Riverhead in support of a partial waiver. There are actually two versions of this resolution, one was a full waiver and one was partial. The committee, in its wisdom, chose the partial waiver, which I think is a reasonable approach, given the precedent might set. And I'm trying to recall what the figure was. Kim, what is it, how much? How much?

MS. KENNEDY:

Nine hundred and seventy•two dollars.

LEG. CARACCILOLO:

Nine hundred and seventy•two dollars. I think we more than make up that \$972 by having this

venue in our County, generating all the tourism and sales tax revenue that comes from that.

P.O. CARACAPPA:

Legislator Alden.

LEG. ALDEN:

Just one quick point, though. The sales tax revenue comes into Suffolk County as a whole. Unfortunately, the Parks Department has a finite budget. They're going to use up some of their budget on this, because they've got to send people out on overtime. That means that other portions of the Parks budget have to suffer a little bit because of this, and I still •• if this goes down, I still offer as an alternative funding to Legislator Caracciolo, and I would actually, you know, say let's not establish this as a criteria.

P.O. CARACAPPA:

Mr. Zwirn.

MR. ZWIRN:

Thank you, Mr. Presiding Officer and members of the Legislature. This Riverhead Blues Festival I know has a sponsor, has a corporate sponsor. KeySpan is the major sponsor, from what we understand. The County Executive is just asking for some consistency.

There is a letter that was sent to Legislator Schneiderman and some of the other members of the Legislature who requested it at committee as to the cost for the Parks Department, because there's overtime involved and everything else. And some of the points that Legislator Alden made are points that we brought up also at the committee. And we'd just ask that there be some •• if it's a non•for •• it's just that it's consistent, so we •• when a group comes to the County Executive, as opposed to the Legislature, so we're all on the same •• on the same page and charge the same fees.

P.O. CARACAPPA:

Very good.

LEG. CARACCILOLO:

Mr. Chairman, I would agree with that. I mean, this is, in a way, a policy•setting resolution, so

the Legislature votes it up or down. We'll know in the future how to proceed.

P.O. CARACAPPA:

There's a motion and a second. All in favor? Opposed?

[OPPOSED SAID IN UNISON BY LEGISLATORS]

Raise your hand in opposition, please, keep it up. Legislator Lindsay, Alden, Nowick, Cooper, and I'll abstain.

MR. BARTON:

Thirteen.

P.O. CARACAPPA:

It's approved.

PUBLIC SAFETY AND PUBLIC INFORMATION

1350 (A Local Law No • 2005, A Local Law to increase the membership of the Criminal Justice Coordinating Council to include a representative of the Suffolk County Bar Association).

LEG. FOLEY:

Motion.

P.O. CARACAPPA:

Motion by Legislator Foley, second by Legislator Montano. All in favor? Opposed? Abstentions?

1441 (Establishing a County web page for Children's Camp Safety Inspection Reports).

MR. BARTON:

18.

P.O. CARACAPPA:

Motion by Legislator Carpenter, second by myself. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1464 (Accepting a donation of equipment and services from A+ Technology Solutions, Inc.). Motion by Legislator Carpenter, second by Legislator O'Leary. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1493 (Transferring Federal Asset Forfeiture Moneys from the District Attorney's Office to refund police overtime). Motion by myself.

LEG. O'LEARY:

Second.

P.O. CARACAPPA:

Second by Legislator O'Leary. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1505 (Transferring and appropriating funds from the 1% Bail Fee Account into the Department of Probation to enhance an Alternative to Incarceration Program and reduce jail overcrowding). Motion by Legislator Bishop, second by Legislator Vilorio•Fisher. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1550 (Approving a Memorandum of Understanding between the County of Suffolk and the American Red Cross establishing a cooperative relationship for the North Amityville Weed and Seed Program and accepting and appropriating \$63,813 in sub •granted funds from the U.S. Department of Justice with 83.13% support). Motion by

Legislator Mystal, second by Legislator Legislator Bishop. All in favor? Opposed?
Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1553 (Accepting and appropriating a grant in the amount of \$312,182 from the United States Department of Justice, Bureau of Justice Assistance for the Suffolk County Police Department to participate in a Human Trafficking Task Force with 75% support).

LEG. O'LEARY:

Motion.

LEG. FOLEY:

Motion.

LEG. VILORIA • FISHER:

Motion.

P.O. CARACAPPA:

Motion by Legislator O'Leary, I heard second by Legislator Foley. All in favor? Opposed?
Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1561 (Designation of the National Incident Management System (NIMS) as the basis for all incident management in the County of Suffolk). Motion by Legislator Carpenter, second by Legislator Mystal. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1570 (Renaming the media room in the H. Lee Dennison Building the "Heidi Behr and William A. Stone Auditorium"). Motion by Legislator Caracciolo, second by Legislator Vilorio •Fisher and Carpenter. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1576 (Appointing members to the Suffolk County Traffic Safety Board). Motion by myself.

LEG. O'LEARY:

Second.

P.O. CARACAPPA:

Second by Legislator O'Leary. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

PUBLIC WORKS AND PUBLIC TRANSPORTATION

P.O. POSTAL:

Public Works, Public Transportation, ***1363 (A resolution calling for a public hearing for the purpose of considering the proposed increase and improvement of facilities for Sewer***

District No. 11 • Selden (CP 8117) needs to be tabled. It needs a corrected copy.

LEG. FOLEY:

Second the motion.

P.O. CARACAPPA:

So, motion by myself, second by Legislator Foley. All in favor? Opposed? Abstentions? 1363 is tabled.

MR. BARTON:

18.

P.O. CARACAPPA:

1364 (A resolution calling for a public hearing for the purpose of considering the proposed increase and improvement of facilities for Sewer District No. 18 • Hauppauge Industrial (CP 8126)). Motion by Legislator Kennedy, second by Legislator Nowick. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1466, 66A (Amending the 2005 Capital Budget and Program and appropriating funds in connection with the feasibility study for noise abatement structures on CR 67, Motor Parkway, from Harned Road to Shinbone Lane (CP 5546)). Motion by Legislator Kennedy, second by Legislator Nowick. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. COOPER:

Pass.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. MYSTAL:

No.

LEG. BISHOP:

Pass, please.

LEG. ALDEN:

Yes.

LEG. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

No.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCIOLO:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yep.

LEG. COOPER:

No.

LEG. BISHOP:

No.

MR. BARTON:

12.

P.O. CARACAPPA:

It's approved •• same motion, same second, same vote on the companion resolution. It's approved.

1481 (Amending the Adopted 2005 Operating Budget to transfer funds from Fund 477 Water Quality Protection, Amending the 2005 Capital Budget and Program, and appropriating funds in connection with storm water remediation improvements various County Parks, Town of Smithtown). Motion by Legislator Kennedy, seconded by Legislator Nowick. On the motion?

LEG. LINDSAY:

On that issue.

P.O. CARACAPPA:

Legislator Lindsay.

LEG. LINDSAY:

This is something that I raised at the last meeting, too, where you had a similar project where we were subsidizing Southampton to •• you know, using 477 money to clean up what should really be the responsibility of the towns. And, again, I think it's becoming a policy issue. If we start doling out all our 477 money to all the towns, are we going to have enough money to do the County roads and the County projects that we're mandated to clean up the road runoff?

LEG. KENNEDY:

Mr. Chair, if I can just offer a brief explanation. Legislator Lindsay, what I would suggest to you with this case is that this is a project that in total is 1.1 million, 700,000 of which was applied for and approved by the Water Quality Committee, I guess, about 18 months ago. Four hundred thousand plus is being put forward by the town itself. And the areas that are subject for the storm water remediation drain directly into Blydenburgh Park, actually just north of us where we sit here. So, ultimately, the County is going to realize a benefit, I guess, in the improved road runoff and, hopefully, we'll be using rocks in a box, so ••

LEG. NOWICK:

Rocks in a box.

LEG. KENNEDY:

That's ••

LEG. ALDEN:

Moon rocks.

LEG. KENNEDY:

That's what I'd offer.

P.O. CARACAPPA:

Anyone else?

LEG. BISHOP:

On the motion.

P.O. CARACAPPA:

You got it, Dave.

LEG. BISHOP:

I congratulate Legislator Kennedy. I think it's a good bill. I just would suggest that he may want to wait, and if he doesn't, I understand, but Legislator Montano and Legislator Alden, I believe as a cosponsor, and myself have a bill to establish the type of program that this would fit right into, which is a match, where the Town and the County would go 50/50 on drains that are not County-owned. And that's filed currently, right, or to be filed?

MR. MONTANO:

Late starter? Late•starter.

LEG. BISHOP:

Late starter, it's a late•starter. And so, the point is that we believe, the sponsors, that helping towns out is great and we want to do that, we want to encourage them to do this type of action, but we also don't want to be paying 100% of the freight, we want them to do it on a 50/50 partnership.

P.O. CARACAPPA:

Legislator Kennedy.

LEG. KENNEDY:

Actually, I'm just advised by my Aide, my •• the number that I brought forward actually is a little bit higher, as far as where the Town of Smithtown is as far as their local contribution. And predicated upon the fact that this project's been in the pipeline for 24 months and the planning has been approved, I appreciate the offer, but I guess I'm going to ask my colleagues to go ahead and consider this resolution as it stands today.

P.O. CARACAPPA:

Legislator Mystal.

LEG. MYSTAL:

To Legislator Kennedy, I will vote for this, but if it's vetoed, you lose me.

LEG. TONNA:

That's good.

LEG. LOSQUADRO:

You do that, Ben?

LEG. KENNEDY:

Well, thank you for that commitment today.

P.O. CARACAPPA:

All in favor? Opposed?

MR. MONTANO:

I'll go with that.

P.O. CARACAPPA:

All in favor? Opposed?

LEG. LINDSAY:

Opposed.

P.O. CARACAPPA:

Opposed, Legislator Lindsay.

LEG. MYSTAL:

I'm for it.

MR. BARTON:

17.

P.O. CARACAPPA:

Opposed, Legislator Bishop, too.

MR. BARTON:

16.

LEG. MYSTAL:

I'm opposed.

P.O. CARACAPPA:

Legislator Mystal is opposed now? You're not even going to give the veto a chance?

LEG. MYSTAL:

I'm voting for it, but if he vetoed ••

P.O. CARACAPPA:

Okay. So, you're opposed •• you're approving it for now.

1502 (Authorizing public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for intersection improvement on C.R. 46, at Surrey Circle, Mastic, Town of Brookhaven, Suffolk County, New York). Motion by Legislator O'Leary, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

1506, 06A (Appropriating funds in connection with the reconstruction of CR 11, Pulaski Road, from Larkfield Road to NYS 25A, Town of Huntington (Capital Program Number 5095)).

MR. BARTON:

18.

P.O. CARACAPPA:

Motion by Legislator Cooper, second by Legislator Tonna. Roll call.

(Roll Called by Mr. Barton, Clerk).

LEG. COOPER:

Yes.

LEG. TONNA:

Yep.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Pass.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILOLO:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

Yep.

LEG. MYSTAL:

Yes.

MR. BARTON:

18 on the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution.

1507, 07A (Appropriating funds in connection with the movable bridge needs assessment and rehabilitation (Capital Program Number 5806)). Motion by myself,

second by Legislator Foley. Roll call.

(Roll Called by Mr. Barton, Clerk)

P.O. CARACAPPA:

Yep.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yep.

LEG. TONNA:

Yeah.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCIOLO:

Yes.

D.P.O. CARPENTER:

Yes.

MR. BARTON:

18 on the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution.

1508, 08A (Appropriating funds in connection with the rehabilitation of CR 83, Patchogue • Mt. Sinai Road from NYS Route 25 to NYS Route 112, Town of Brookhaven (Capital Program Number 5563). Motion by Legislator Losquadro, second by myself. All in favor •• roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. LOSQUADRO:

Yes.

P.O. CARACAPPA:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILO:

Yes.

D.P.O. CARPENTER:

Yes.

MR. BARTON:

18 the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution.

1512, 1512A (Appropriating funds in connection with the alteration to Labor Department buildings, North County Complex (CP 1608). Motion by myself, second by Legislator Foley. Roll call.

(Roll Called by Mr. Barton, Clerk)

P.O. CARACAPPA:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILO:

Yes.

D.P.O. CARPENTER:

Yes.

MR. BARTON:

18 on the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution.

1559 (Authorizing the Commissioner of Public Works to apply for a New York State Department of State Quality Communities Program grant). Motion by Legislator Lindsay, second by Legislator Viloria•Fisher. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1560 (Approving maps and authorizing the acquisition of lands together with findings

and determinations pursuant to Section 204 of the Eminent Domain Procedure Law, in connection with the acquisition of the properties for intersection improvements on C.R. 100, Suffolk Avenue and Brentwood Road/Washington Avenue, Town of Islip, Suffolk County, New York (CP 5065). This is Brentwood Road and Washington Avenue •• motion by Legislator Alden, second by Legislator Montano. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

[SUBSTITUTION OF COURT STENOGRAPHER • DONNA CATALANO]

1573 (Directing the Commissioner of Public Works to utilize the former 6th Precinct Building for Police Purposes). Motion by Legislator Losquadro, second by myself.

LEG. LINDSAY:

On the issue.

P.O. CARACAPPA:

On the issue, Legislator Lindsay.

LEG. LINDSAY:

Maybe to the sponsor. How far away is the new precinct?

P.O. CARACAPPA:

Three miles.

LEG. LOSQUADRO:

Three miles or so.

LEG. LINDSAY:

Don't you think we are kind of micromanaging both the Police Department as well as Land Use Committee on what to do with this facility?

LEG. LOSQUADRO:

You've asked a politician a yes/no answer, so I'll just say no. No, in all seriousness, the commitment to maintain a police presence in that community predates myself and many on this Legislature. And I know that some of my colleges sitting on either side of me were privy to those conversations before my tenure in which firm commitments were made to the community and was in large reason why there was no community opposition to the movement of the facility from an area which in, not to single out any community, but is the victim of higher crime rates, to an area that was more suitable to the expansion of a facility, more modern up•to•date facilities with adequate parking and adequate space for the units there in•house.

Those commitments have not been lived up to now that the new facility is open and operational and has been since earlier this year. So, we have given every opportunity for the Police Department and for the Public Works Department to act on this. This is merely formalizing the process and keeping the pressure on. I would like to feel confident that this process is going to move forward. This bill does not preclude the use of this facility of other units within law enforcement such as probation and others, but in keeping with the commitments made to the community, there must be a portion of this building that is used for •• by uniformed police personal.

P.O. CARACAPPA:

I think Legislator Losquadro covered all the bases properly. I know Legislator Foley and myself were part of the in depth negotiations in community meetings outside of our districts but near the importance of moving the precinct, those were with the Middle Island southeastern Coram, Gordon Heights communities and that was part of the deal for them, to feel comfortable about the move. A police presence in their community is very important and we're just trying to live up to our end of the bargain. So with that, Legislator Mystal.

LEG. MYSTAL:

Mr. Chairman.

P.O. CARACAPPA:

Legislator Mystal.

LEG. MYSTAL:

Thank you. I think we are fastly approaching the term where everybody is going to want two

precincts in their district. Because every time I turn around somebody wants some more police coverage in the area. And this is very, very scary idea. I don't know the area at all, so I'm not going to address whether or not the area needs that, you know, second police station. But the point is that everybody, you know, Legislator O'Leary wants something in his district, the Second Precinct, and I know Legislator Cooper and Binder and Mystal and probably Montano sooner or later, you know.

Are we, you know, are we moving toward that right now because somehow I think we are beginning to push that envelope where we have a substation and we have a new precinct that we just built which is two miles away and now we have to have a substation because we need to be there. Why did we move it in the first place?

P.O. CARACAPPA:

Because the footprint existed there for the precinct was too small.

LEG. MYSTAL:

Why couldn't we make it bigger?

P.O. CARACAPPA:

Because this property is ••

LEG. MYSTAL:

Go up.

P.O. CARACAPPA:

Public Works didn't feel it feasible.

LEG. MYSTAL:

My thing •• okay, I'm moving to the concept. I'm talking to the concept. I'm not talking about the need, probably it is needed there, if they need.

LEG. LOSQUADRO:

If I may address this as to the heart of the intent of my resolution?

LEG. MYSTAL:

No, no, no, no. See, your resolution is more specific thing. My thing is the concept that we are beginning to get to, which is two precinct.

LEG. LOSQUADRO:

You are misinterpreting my resolution. The intent of this resolution is not to provide a substation. It is not to provide a second precinct, not at all. It does not say that anywhere in the body of the resolution and nor that is my intent.

LEG. MYSTAL:

Do we have to have uniformed policemen there?

LEG. LOSQUADRO:

This is an existing County facility. And I am sure you are familiar with the broken window theory. The theory is you do not allow a facility to become dilapidated because it brings the rest of the community down. We now have a County owned facility, and by the Commissioner's own admission, in the Public Works Committee the Police Department is always looking for additional space. They have many units that do not have adequate space at the moment. This is asking that we average our assets properly. We use an existing County facility. We do not let it fall into disrepair and it is win•win situation for everyone because we can adequately house units that are in substandard space right now and we can keep up a County facility and maintain a law enforcement presence in the community. There is nothing about a substation, there is nothing about a Second Precinct here. This is an existing County facility, and I for one would not make one of those resolution to do the latter.

LEG. MYSTAL:

My question, are there going to be uniformed policemen there?

LEG. LOSQUADRO:

Not in a ••

P.O. CARACAPPA:

It is undetermined at this point.

LEG. LOSQUADRO:

Yeah. It is not my intention to take units out of the Sixth Precinct. If there are other uniformed units that can utilize this facility, then yes, absolutely, I'd like to see a portion of it utilized with uniformed police personnel.

LEG. MYSTAL:

It would be a police presence.

LEG. LOSQUADRO:

Absolutely.

LEG. MYSTAL:

Okay. By any other name that you may call it, a police presence in that building makes it a substation. People are going to come to it anyway.

P.O. CARACAPPA:

Then every fire department in Suffolk County is a police substation because that's where they change, that's where they meet.

LEG. MYSTAL:

Well, no. But this one they call them housing, they are permanently there. That is where they are going to come to work everyday. Okay.

P.O. CARACAPPA:

Legislator Vilorio•Fisher and then O'Leary.

LEG. VILORIA•FISHER:

I wanted to mention that this wouldn't be for the exclusive use of the police, either. There has been conversation of their sharing the facility with the Probation Department who needs some more space and wanted to have a presence in that area for programs. I believe that there is also a sense in that community because of the health center there and social services, there is a sense that the County isn't listening to their needs. And there was a very clearly expressed need when the Sixth Precinct was being moved. I attended meetings where, you know, there were representations made that there would be some kind of presence there.

P.O. CARACAPPA:

By all of County government, to be quite honest with you, the Commissioner of Police, the then County Executive, the Legislature. And we did make monies available in the Capital Budget to back that up, too, by vote of one of the more recent Legislatures. Legislator O'Leary.

LEG. O'LEARY:

I just wanted to •• I was going to make mention of the fact that Probation has an application in for the space for the vast majority of the square footage in this particular building. And during those discussions in Space Management the PD specifically alluded to the fact that this wasn't the norm, or the substation or field office. They even offered the possibility of using this facility as a relief point, similar to what they do in the firehouses.

There is a need for a police •• a uniformed police presence there. If it amounts to them just having a relief point there, I don't know if that is going to satisfy the needs or wants of the community. If it requires the assignment of personal there, uniformed personnel there, I think those personnel that would be assigned would not be there on a permanent basis. They would be there for purposes of meeting there and then going elsewhere on patrol or whatever. So, it's not a substation per se as you make reference to. Clearly, it's two different options we have here.

P.O. CARACAPPA:

There is a motion and a second. All in favor? Opposed?

LEG. MONTANO:

Opposed.

P.O. CARACAPPA:

Opposed, Legislator Montano and Lindsay.

LEG. MYSTAL:

Opposed.

P.O. CARACAPPA:

That was Legislator Mystal and Bishop as well.

MR. BARTON:

14.

P.O. CARACAPPA:

1596 (Amending the 2005 Operating Budget by appropriating surplus funds from Fund 221 fund balance and amending the 2005 Capital Budget and Program in connection with design improvements to Suffolk County Sewer District No. 21 • SUNY at Stony Brook (CP 8121).

LEG. VILORIA • FISHER:

Motion.

P.O. CARACAPPA:

Motion by Legislator Viloria•Fisher. Seconded by Legislator Binder. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

1599 (Authorizing Public Hearing pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of C.R. 16, Smithtown Boulevard at C.R. 93, Rosevale Avenue and Gibbs Pond Road, Town of Smithtown, Suffolk County, New York).

LEG. KENNEDY:

Motion.

P.O. CARACAPPA:

Motion by Legislator Kennedy was it?

LEG. KENNEDY:

Yes.

P.O. CARACAPPA:

Seconded by Legislator Nowick. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1600 and 1600A (Appropriating funds in connection with the reconstruction of CR 4, Commack Road, from the vicinity of Nicolls Road to Polo Street, Towns of Babylon and Huntington (CP 5560). Motion by Legislator Binder. Second by Legislator Tonna. Roll call.

(Roll called by Henry Barton, Clerk of the Legislature)

LEG. BINDER:

Yes.

LEG. TONNA:

Yes.

LEG. COOPER:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILOLO:

Yes.

LEG. CARPENTER:

Yes.

P.O. CARACAPPA:

Yes.

MR. BARTON:

18 on the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution. **1601, 1601A**
(Appropriating funds in connection with the rehabilitation of various bridges and
embankments (CP 5850). Motion by Legislator Binder, second by Legislator Foley. Roll
call.

(Roll called by Henry Barton, Clerk of the Legislature)

LEG. BINDER:

Yes.

LEG. FOLEY:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILOLO:

Yes.

LEG. CARPENTER:

Yes.

P.O. CARACAPPA:

Yes.

MR. BARTON:

18 on the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution. ***1609, 1609A
(Amending the 2005 Capital Budget and Program and appropriating funds in***

connection with the purchase of sewage pump•out vessels (CP 8229).

D.P.O. CARPENTER:

Motion.

P.O. CARACAPPA:

Motion by Legislator Carpenter.

LEG. LINDSAY:

On the question.

P.O. CARACAPPA:

Is there a second?

LEG. BINDER:

Binder.

P.O. CARACAPPA:

Second by Legislator Binder. Legislator Lindsay.

LEG. LINDSAY:

Evidently this is a vessel or multiple vessels, does anybody know? Anybody from the Exec's Office office know? My question is Where are they going to be stationed? I don't think it is a bad idea, I just would like to know where they are.

LEG. ALDEN:

Over in Sayville, they have a little area.

LEG. LINDSAY:

Does anybody know? Is there anybody here from ••

LEG. BINDER:

I think one in Huntington.

P.O. CARACAPPA:

I thought it was Huntington.

MS. KNAPP:

In looks like from the backup that this is a pump out vessel that is going to be stationed somewhere within the Town of Huntington.

LEG. LINDSAY:

In a boathouse in Coindre Hall.

P.O. CARACAPPA:

This isn't the first one that we bought, Legislator Lindsay. Prior to you, your predecessor had •• did a resolution, I believe, to purchase two that now function on the south shore in the Great South Bay. This is actually the sixth one. We work in conjunction with townships.

LEG. O'LEARY:

On the motion.

P.O. CARACAPPA:

Legislator O'Leary, go ahead.

LEG. O'LEARY:

I just want to explain my abstention in committee. I disagree with the funding source. I understand this is to be bonded, not pay•as•you go.

P.O. CARACAPPA:

Yes.

LEG. O'LEARY:

Is that correct?

MR. SPERO:

That's correct.

LEG. O'LEARY:

Okay. Thank you.

P.O. CARACAPPA:

Roll call.

(Roll called by Henry Barton, Clerk of the Legislature)

LEG. CARPENTER:

Yes.

LEG. BINDER:

Yes.

LEG. COOPER:

Pass.

LEG. TONNA:

(Not present).

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Abstain.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Pass.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Abstain.

LEG. SCHNEIDERMAN:

Pass.

LEG. CARACCIOLO:

Yes.

P.O. CARACAPPA:

Yep.

LEG. COOPER:

Yep.

LEG. TONNA:

(Not present).

LEG. SCHNEIDERMAN:

Yes.

LEG. FOLEY:

Yes.

MR. BARTON:

15 on the bond.

P.O. CARACAPPA:

Same motion, same second, same vote on the companion resolution. ***1630 (Amending the 2005 County Operating Budget to transfer funds from the General Capital Reserve Fund to cover the deficiency of appropriations in Fund 105 • County Road for snow removal services).***

LEG. O'LEARY:

Motion.

P.O. CARACAPPA:

Motion by Legislator O'Leary. Second by Legislator Binder.

LEG. ALDEN:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Alden.

LEG. ALDEN:

Budget Review, did we spend some of the money out of this account? We transferred it out for other purposes?

MR. SPERO:

The pay•as•you•go?

LEG. ALDEN:

There was a fund allocation for snow removal, right?

MR. SPERO:

That's right. This is transferring money from the pay•as•you•go account to the snow removal account because of the excess snow removal costs that were incurred over the winter.

LEG. ALDEN:

I don't remember if it was this last year or a year or two years ago that we actually spent money out of this snow removal account. Was it last year?

MR. SPERO:

Do you mean use the snow removal account as an offset? There was a year about two or three years ago where we didn't have much snow and we had some excess funding there.

LEG. ALDEN:

So it wasn't this year's account.

MR. SPERO:

No, it wasn't.

LEG. ALDEN:

Okay. Thank you.

P.O. CARACAPPA:

There is a motion and a second. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Ways and Means. **1040 (Adopting Local Law No • • 2005, A Charter Law amending the Suffolk County Charter to require the adoption of a reapportionment plan in a timely manner).** Motion by Legislator Montano, second by Legislator Lindsay. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1449 (Directing the County Attorney to bring a lawsuit against the Long Island Convention and Visitors Bureau, Inc. (LICVB) to recover County funds). Motion by Legislator Caracciolo.

LEG. O'LEARY:

Motion to table.

P.O. CARACAPPA:

Motion to table by Legislator O'Leary. Second by Legislator Nowick.

LEG. CARACCIOLO:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Caracciolo.

LEG. CARACCIOLO:

We have a recommendation by the County Attorney, Nassau County wants to join us in this lawsuit and we have correspondence that I believe was directed to everybody in the Legislature.

LEG. O'LEARY:

We had some discussion regarding this proposal, Legislator Caracciolo.

LEG. CARACCIOLO:

Who is we?

LEG. O'LEARY:

The majority caucus, which you were not present.

LEG. CARACCIOLO:

Oh, that's a surprise.

LEG. VILORIA • FISHER:

Oh, He wasn't invited?

MR. O'LEARY:

No, he was invited. But there was a sense that we would be given the opportunity to the County Attorney to come before the full body in executive session to discuss this more in detail.

LEG. CARACCILOLO:

A, I don't think there is any need for Executive Session. B, I think the County Attorney representative is in the back room, if we would have her come in and answer your questions I think we can resolve this •• she is not here?

LEG. O'LEARY:

Well, that's why I'm •• if the County Attorney rep was here ••

MS. LOLIS:

I'm here but I'm actually not prepared to speak on this particular •• this particular bill. Christine Malafi has been working on it exclusively in the office.

LEG. O'LEARY:

Yes, I'm aware of that because she came before committee with respect to this particular initiative. And even though she is in support of it, and she articulated that, there's been a request from members of this body to hear from her in Executive Session.

MS. LOLIS:

Yes, and she's prepared to discuss that whenever you would like her here.

LEG. ALDEN:

Call her right now.

LEG. CARACCILOLO:

Well, Mr. Chairman, I would just note for the record the following e•mail that we received from Miss Malafi. This was •• this was before our last meeting. In any event, she made reference in the e•mail that she believes that we are anticipating potential collection of approximately \$40,000 but that number may increase as we move alone. Now, she is making reference to a bi•county lawsuit against LICVB with Nassau County. We have had worked very closely with

the County Attorney's Office on this. Initially there was some reluctance on the County Attorney's part to move forward, citing that there was some collection of funds coming in but not all restitution has been made to the County.

That's said, and let me just get you another figure here, she indicates in other correspondence that we should be able to recoup 43% of \$118,000 •• I'm sorry, \$86,000 that the Comptroller's audit determined to have been paid by LICVB improperly.

I think it's a question of perhaps not being at that caucus meeting that my colleagues were afforded the benefit of this additional communication. I would request now that you have this information which I would have shared with you at that time that we move forward on this resolution.

LEG. O'LEARY:

Well, I •• through the chair.

P.O. CARACAPPA:

Go head.

LEG. O'LEARY:

I don't want you to get the impression that I'm not supportive of this resolution. It was through my committee that it was moved out unanimously but, however, since that occurrence, there has been an interest on the part of the members of this body to hear the County Attorney personally articulate this matter.

LEG. CARACCILO:

Well, if we can summon her. It is 5:30. I know she still •• she usually works late, request her or a representative come over and address this. I would like to move this resolution today. Mr. Chairman, could we request the County Attorney or a representative come over to discuss ••

P.O. CARACAPPA:

It depends on if this body wants to have an Executive Session on this today. I'll straw poll.

LEG. CARACCILO:

That's up to the Legislature. If you don't want to recoup taxpayer money, go home. Don't do the job.

P.O. CARACAPPA:

Legislator Mystal.

LEG. MYSTAL:

I would like somebody, Counsel, to explain to me like a four year old how we are not suing ourselves since we are the major source of funding for this organization. I'm a four year old •• talk to me like that.

MS. KNAPP:

I think that you ask a very valid question and I think I can answer it in full session without too much trouble because we do not have a lawsuit going on right now. LICVB is funded from three different sources, Suffolk County, Nassau County and its own membership. The funding that flows to LICVB under the State law, which we adopted by local law is for a very specific purpose. And that money, while sometimes it flows to them prior to a final audit, is subject to reconciliation in the audit.

It's my belief that the money that is the subject of this lawsuit arose out of disputed items in the audit. And I believe that the lawsuit will attempt to recover monies that were improperly spent, assuming that a judge agrees with the County's position that the money was improperly spent. Now, the question of where are they going to get the money to pay us back.

LEG. MYSTAL:

Thank you.

MS. KNAPP:

To the extent that the monies that we give them under the statute are limited to how they can be spent. One of the purposes is not to pay a judgment in a lawsuit. So it's my belief that they would have to find other monies in order to pay us back.

P.O. CARACAPPA:

Legislator Nowick.

LEG. MYSTAL:

If they have to find other monies, especially if they have three major sources of funding, this county, Nassau County and their membership, which is not bringing a whole lot of money, so if we win this suit we are either going to have to be reimbursed by ourselves or by Nassau County because individually we don't have money anymore.

MS. KNAPP:

The membership funding, my recollection is about 15 or 18% of their whole budget, maybe even a little bit more than that, comes from their membership. I think that the question that you might be asking, and this is a very valid question because as we found out in the Friends for Long Island Heritage lawsuit, that to the extent that we are too successful, it may ultimately prove to be their undoing.

LEG. NOWICK:

Just a question again for Counsel. What was the bottom line of what we want to collect in this lawsuit, bottom line. Was it 80 something?

MS. KNAPP:

\$86,835.

LEG. NOWICK:

These are issues they absolutely refuse to pay back, they say it's in contention. Is that correct?

MS. KNAPP:

My understanding was that there was over \$100,000 in dispute. It might have been significantly over.

LEG. CARACCILO:

118.

MS. KNAPP:

118? And they agreed that they owed us that 30 some odd thousand dollars. It was this remaining \$86,000.

LEG. NOWICK:

So they absolutely have refused the \$86,000. Now, my question to the sponsor is that is this absolutely imperative to do this week or could it wait two weeks because my e•mail from the County Attorney requests that she comes before the full Legislative meeting and we go into Executive Session. Is there a reason why we can't wait two weeks and we could do this maybe •• my e•mail says she would want to meet today, but I guess that there was no answer there. Can this wait or is there a pressing reason why we have to do it?

LEG. CARACCILO:

I'd be willing to table it, but no more than the next legislative meeting.

LEG. TONNA:

Motion to table.

P.O. CARACAPPA:

Motion to table and a second. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1462 (Approving the appointment of County Employee (Morgan L. Haley) in the Suffolk County Department of Taxation and Finance). Motion by myself. Second by Legislator O'Leary. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1463 (Creating a Yaphank Center Development Review Committee). Motion by Legislator O'Leary. Second by Legislator Losquadro. On the motion, Legislator O'Leary.

LEG. O'LEARY:

This is revisited for the second time. The requested changes have been made to the

committee, additions to the committee, so.

P.O. CARACAPPA:

All in favor? Opposed? Abstentions?

LEG. VILORIA • FISHER:

Can I ask a question of the sponsor? Just a quick question.

P.O. CARACAPPA:

Go ahead. I'm sorry, I can't hear you.

LEG. VILORIA • FISHER:

That's because I forget to turn my mike on, I'm sorry. When did you anticipate that the committee will begin to meet?

LEG. O'LEARY:

Well, by direction of the resolution within 30 days.

LEG. VILORIA • FISHER:

Okay. From the time it's signed.

LEG. O'LEARY:

From it signed, yes.

LEG. VILORIA • FISHER:

How many members are there?

LEG. O'LEARY:

11.

LEG. VILORIA • FISHER:

11. And have all 11 people been chosen? Are they willing to serve? Is all of that set in place so that they can begin deliberations in 30 days.

LEG. O'LEARY:

We have anticipated exactly that and depending on when the County Executive, if he signs this sooner rather than later, we can move along to name the actual committee.

LEG. VILORIA • FISHER:

Okay. Thank you.

P.O. CARACAPPA:

There is a motion and a second. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1469 (Approving payment to General Code Publishers for Administrative Code Pages). Motion by myself, second by Legislator Lindsay. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1478 (Authorizing the sale of County•owned real estate, pursuant to Section 215 New York State County Law, to Sharon Fioto.) Motion by Legislator Schneiderman. Second by Legislator O'Leary. On the motion.

Do they qualify?

MS. KNAPP:

Yes. There is medical backup including a letter from her doctor indicating the extent and the nature of her medical problems. They were extensive.

P.O. CARACAPPA:

All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1499 (Authorizing the disbursement of funds from the Suffolk County Living Wage Contingency Fund to Community Programs Center of Long Island, Inc., a child care provider under contract with the Department of Social Services.) Motion by Legislator Bishop. Second by Legislator Montano. All in favor? Opposed? Abstentions?

LEG. BINDER:

Opposed.

P.O. CARACAPPA:

Opposed, Legislator Binder.

MR. BARTON:

17.

P.O. CARACAPPA:

1504 (Amending the hourly rate for temporary positions in the Suffolk County Classification and Salary Plan). Motion by Legislator O'Leary. Second by myself. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1556 (Approving the appointment of Gerard X. McCarthy to Deputy Inspector in the Suffolk County Police Department). Motion by Legislator O'Leary. Seconded by Legislator Foley. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1578 (Authorizing a license agreement with the Hauppauge Youth Organization).

Motion by Legislator Kennedy. Second by Legislator O'Leary.

LEG. CARACCILO:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Caracciolo.

LEG. CARACCILO:

Just a brief explanation on what the license agreement is.

LEG. KENNEDY:

The license agreement is for the ongoing use of athletic fields that are actually south of the H. Lee Dennison Building, primarily baseball. The organization has utilized that for about five or six years and over the course of that time has put in a substantial amount of Capital improvements which have inured to the benefit of the County. They are just looking to go ahead and preserve their ability to go ahead and continue to play ball.

LEG. CARACCILO:

Is there any reimbursement to the County for use of the fields?

LEG. KENNEDY:

I believe that the reimbursement is in the form of the improvements, the capital improvements that they have put in there and that acquiesce to the benefit of the County.

LEG. CARACCILO:

They did a beautiful job.

P.O. CARACAPPA:

All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1604 (Approving appointment of relative of County employee at Suffolk County Department of Civil Service, Personnel and Human Resources (Lauren Tempera).

Motion by Legislator O'Leary. Second by Legislator Carpenter. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

1612 (Donation and dedication of certain lands now owned by the estate of Buffalo to the County of Suffolk (SCTM No. 0200•984.10•02.00•013.000 and 015.000). Motion by myself. Second by Legislator O'Leary. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

If you go to your packets ••

LEG. FOLEY:

What are we doing now, Home Rules? Senses?

P.O. CARACAPPA:

No, there's home rules but there is one other. I'd like to make a motion on procedural motion number four which is in your packet which is appointing Director of Legislative Office of the Budget Review.

D.P.O. CARPENTER:

Second.

P.O. CARACAPPA:

Seconded by Legislator Carpenter and Lindsay. It is in your packet. It is right on top of your home rules and senses. The person in question is Mrs. Gail Vizzini, currently serving as the Deputy Director of Budget Review. And its a privilege and honor for me to cosponsor, be a

sponsor and cosponsor this resolution along with all 18 Legislators and making you the first woman Budget Director in Suffolk County's history •• Budget Review.

APPLAUSE

Now, this does take affect in July because our good friend, Jim, of course we know is leaving us but not until after the veto process on the Capital Budget. If there are any, right. Maybe the County Executive will go along with everything we've done.

MR. SPERO:

I'm sure he will love the observatory.

P.O. CARACAPPA:

Actually, Jim can't change his mind now and I don't think he wants to. We can make him Gail's deputy and she can get revenge for all those late nights and weekends. But congratulations. We look forward to working with you in your new capacity.

There is a motion and a second. All in favor? Opposed? Abstentions?

LEG. TONNA:

Put us all down as cosponsors.

LEG. CARPENTER:

We are.

MR. BARTON:

18.

APPLAUSE

P.O. CARACAPPA:

Okay. We have •• what's this?

MS. BURKHARDT:

It's a veto.

P.O. CARACAPPA:

There's a veto. Legislator Binder, do you want to do anything ••

LEG. BINDER:

Motion to override.

P.O. CARACAPPA:

There's a motion to override Resolution 414, adopted ***Resolution 414, which was IR 2324, authorizing satellite social service in conjunction with the police substation, New York Avenue, Huntington.*** Is there a second?

LEG. ALDEN:

To override?

P.O. CARACAPPA:

Yeah.

LEG. ALDEN:

Yes.

P.O. CARACAPPA:

Second. Second to override by Legislator Alden. Roll call.

MR. BARTON:

Mr. Chairman, who made the motion?

P.O. CARACAPPA:

Legislator Binder, second by Legislator Alden.

MR. BARTON:

Thank you.

LEG. TONNA:

On the motion. Do we want on the motion? No. Does everybody know how they're voting?
Yeah, all right.

(Roll called by Henry Barton, Clerk of the Legislature).

LEG. BINDER:

Yes.

LEG. ALDEN:

Yes.

LEG. COOPER:

No.

LEG. TONNA:

No.

LEG. MYSTAL:

No.

LEG. BISHOP:

No.

LEG. NOWICK:

Pass.

LEG. KENNEDY:

Yes.

LEG. MONTANO:

No.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

No.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Abstain.

LEG. CARACCILOLO:

Yes.

LEG. CARPENTER:

Yes to override.

P.O. CARACAPPA:

No.

LEG. NOWICK:

Yes.

MR. BARTON:

8.

P.O. CARACAPPA:

Valiant try, Allan.

LEG. BINDER:

It's all in the fight. Someone's got to fight for the people who don't have a voice.

P.O. CARACAPPA:

Let's move on.

LEG. O'LEARY:

Mr. Chair, I just want to point out that there are •• in the packet there are three Home Rule Messages.

P.O. CARACAPPA:

We're doing them right now.

LEG. O'LEARY:

Oh, okay, very good.

P.O. CARACAPPA:

The pink, the pink slips.

LEG. O'LEARY:

The pink slips, yes.

P.O. CARACAPPA:

No pun intended.

LEG. LINDSAY:

Did we announce the vote on that?

P.O. CARACAPPA:

Yes, It was eight. The pink pieces of paper in your packet, these are Home Rules. We're going to move on to those.

The first one is ***Home Rule Number 7 (Home Rule Message requesting New York State Legislature to grant membership in the Special Retirement Plan for Sheriffs, Under •Sheriffs, and Deputy Sheriffs to Suffolk County Employee (Susan A. Long)***, sponsored by Legislator O'Leary and Lindsay.

LEG. NOWICK:

Why are they pink.

P.O. CARACAPPA:

Just so you can •• so you can see them fast. There's a motion and a second. Motion by Legislator O'Leary, seconded by Legislator Lindsay on Home Rule 7. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Home Rule 8 (Home Rule Message requesting New York State Legislature to grant membership in the Special Retirement Plan for Sheriffs, Under-Sheriffs, and Deputy Sheriffs to Suffolk County Employee (Kevin C. Kyle). Same motion, same second, same vote.

MR. BARTON:

18.

P.O. CARACAPPA:

Home Rule 9 (Home Rule Message requesting State of New York to extend Binding Arbitration Law to Suffolk County Correction Officers (Senate Bill S.2460 and assembly Bill A.6068). Motion by myself, seconded by Legislator O'Leary and Carpenter. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

LEG. VILORIA • FISHER:

Cosponsor.

LEG. BISHOP:

Wait, wait, wait. Is this 9?

P.O. CARACAPPA:

Nine.

LEG. COOPER:

Cosponsor, please, Henry.

MR. BARTON:

18.

P.O. CARACAPPA:

They're all approved.

LEG. FOLEY:

Approved.

LEG. VILORIA • FISHER:

Cosponsor, Henry, on those.

LEG. SCHNEIDERMAN:

Henry, put me down as a cosponsor.

LEG. LOSQUADRO:

Henry.

[RETURN OF COURT STENOGRAPHER • LUCIA BRAATEN]

P.O. CARACAPPA:

Sense Resolutions. You can go home, Vito and Billy, and every one else.

MS. BURKHARDT:

Do you want to do CN's or Senses?

P.O. CARACAPPA:

CN's.

MS. BURKHARDT:

Red, red folder.

P.O. CARACAPPA:

Red folder. CN's red.

D.P.O. CARPENTER:

If you're color blind, you're out of luck.

P.O. CARACAPPA:

Red folder, CN's.

LEG. MYSTAL:

I like this color coded, it's good.

P.O. CARACAPPA:

I thank my staff.

LEG. MYSTAL:

Who thought of that?

P.O. CARACAPPA:

Someone on my staff.

MS. BURKHARDT:

Clerk's Office.

P.O. CARACAPPA:

Oh, Clerk's Office, of course. Of course.

LEG. CARPENTER:

Thank you, Sandy. Thank you, Henry.

P.O. CARACAPPA:

The excellent job that the Clerk's Office did.

D.P.O. CARPENTER:

Absolutely.

P.O. CARACAPPA:

And the girls in LADS, and Ann Marie hustling. Okay. ***CN 1113 (A Local Law to permit the seizure of motor vehicles to protect Suffolk residents from drivers whose license or privilege to operate a motor vehicle is suspended or revoked)***. Motion by Legislator Carpenter, seconded by myself •• O'Leary, rather. All in favor? Opposed? Abstentions?

LEG. BISHOP:

This is a •• abstention.

P.O. CARACAPPA:

One abstention, Legislator Bishop.

MR. BARTON:

17.

LEG. BISHOP:

This the seizure of vehicles ••

D.P.O. CARPENTER:

He already called the vote.

LEG. BISHOP:

All right. I just •• well, we're whipping through things so fast, I didn't have time to discuss it.

P.O. CARACAPPA:

Go ahead, say it.

LEG. BISHOP:

Just on the motion, if I could be recognized.

P.O. CARACAPPA:

You can talk about the vote we just took, go ahead.

LEG. BISHOP:

The vote that we just took, what category of vehicles will be seized now?

D.P.O. CARPENTER:

New ones.

LEG. BISHOP:

What is the change in the law?

LEG. TONNA:

They're not red Corvettes, are they?

P.O. CARACAPPA:

The one in golf outings?

LEG. TONNA:

Yeah, not the red Corvette.

D.P.O. CARPENTER:

This •• if I could ••

LEG. BISHOP:

Whoever wants to do it.

MS. KNAPP:

We have narrowed the class of vehicles that are going to be seized in that there are very specific violations in which a car will be seized. The •• I have a list here. There are a lot of them, but they all are very specific. If there's been a revocation of a license because of a homicide or an assault arising from the use of a motor vehicle and the license has been revoked, then that person will have it seized.

LEG. BISHOP:

That would make sense.

MS. KNAPP:

Anyone who has had their license revoked because of leaving the scene of an accident without reporting.

LEG. BISHOP:

Right.

MS. KNAPP:

There are about eight of those very specific, and then the only general one left is that if someone is totally unlicensed and they're convicted of being totally unlicensed and they drive again, then they are •• they also will be seized.

LEG. BISHOP:

Now, that's even if they don't own the car?

MS. KNAPP:

Well, the same provisions apply that have been applied in all the seizure laws in that they'll be seized. However, the question of forfeiture then becomes much more complicated, and that's within the discretion of the County Attorney in terms of the forfeiture. We've taken away the discretion on the initial seizure and narrowed it to the specific offenses. The seizure is now the police officer no longer has the discretion, but it has been substantially narrowed. The County Attorney continues to have discretion on the forfeiture.

LEG. BISHOP:

One abstain.

P.O. CARACAPPA:

Sold?

LEG. BISHOP:

Not •• I'll abstain on the vote.

P.O. CARACAPPA:

Okay.

LEG. VILORIA • FISHER:

Mea, now what if it's a teenager who's driving the parent's car? I didn't hear it. I'm sorry, there was a lot of talking.

MS. KNAPP:

If they have been convicted and then they do it again, the car will be seized. The question of forfeiture remains one of discretion in the County Attorney. There's not a time limit expressed in the bill, but I understand from all of our discussions with the County Attorney and the Police Department, that there is a limited period of time that the records are carried, and I don't remember whether it was three or six years.

LEG. VILORIA • FISHER:

Okay. And scofflaws, etcetera, are not in this •• any of those categories?

MS. KNAPP:

No. You mean parking violations?

LEG. VILORIA • FISHER:

Parking, right.

MS. KNAPP:

No. Either the insurance part has been cut out, eyeglass violations, those kind of things.

LEG. VILORIA • FISHER:

Okay. All right, thank you.

MR. MONTANO:

Joe, may I say something?

P.O. CARACAPPA:

Sure. Legislator Montano.

LEG. MONTANO:

Just for the record, the problem I have with doing these things on a C of N when they're complicated is that we really don't have the time to analyze them the way we should. You know, I had introduced a resolution, which passed a while back, requiring the County Executive to indicate on CN's why it was necessary that we consider them immediately, and I just hope we're not going back to the system where we're just throwing everything into a C of N for •• you know, for other than, you know, purposes where a C of N should be used. I know that this bill was out there for awhile, but these are some amendments that, in my opinion, you know, I just don't feel I have enough time to digest it, but the vote is fine.

D.P.O. CARPENTER:

If I could respond ••

P.O. CARACAPPA:

You can.

D.P.O. CARPENTER:

•• through the Chair. We have a CN before us on this bill, because even though the County Attorney and the Legislative Counsel had met many, many times on this and made many, many changes, when we thought we had gotten every single change done before the deadline, I received a phone call Tuesday, last Tuesday saying that there was one or two minor little things that they felt really needed to be changed, so that is why we have the CN; okay? But, again, with the number of times that we hear about tragic accidents, and more times than not it's someone whose license has been suspended or revoked, and, hopefully, this will address some of those issues.

P.O. CARACAPPA:

I believe the vote's been taken. Moving on. ***1566 (Re •organizing and strengthening the Nassau •Suffolk Regional Planning Board, and renaming the Board "The Long Island Planning Council")***. Motion by Legislator Losquadro, second by myself. All in favor?

LEG. ALDEN:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Alden.

LEG. ALDEN:

I'm going to have to reiterate what Legislator Montano just said. There's two competing resolutions for the same thing in committee. I don't see why we have to, you know, consider a CN at this late hour, this late date. This could go through the committee process, unless, of course, somebody has a press conference scheduled for later today or tomorrow, then they might want to have moved this a little bit faster. I notice the County Executive is sponsoring this piece of legislation. So, I don't see why we're moving on this without being able to fully study the issue.

P.O. CARACAPPA:

Actually, it's both Legislator Losquadro and County Executive on it.

LEG. ALDEN:

No, no, it's the County Executive. I can read. It says right here, "Introduced by the Presiding Officer on the request of the County Executive Steve Levy."

P.O. CARACAPPA:

And?

LEG. LOSQUADRO:

And Legislator Losquadro.

LEG. ALDEN:

Everybody else is window dressing, so ••

P.O. CARACAPPA:

Just let the record reflect that there's a •• there's a substitute page in your CN, which is Page 5,

where there was a minor ••

LEG. LOSQUADRO:

And "L" to an "I".

P.O. CARACAPPA:

Yeah, an "L" to and "I", a scrivener's error.

LEG. CARACCIOLO:

Mr. Chairman.

LEG. ALDEN:

I'm going to suggest that we do our whole agenda next time by CN and that way we can all be surprised with everything that comes over.

P.O. CARACAPPA:

There's a motion and a second. All in ••

LEG. CARACCIOLO:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Caracciolo.

LEG. CARACCCIOLO:

Yes. I'd like an explanation of the resolution.

P.O. CARACAPPA:

Caracciolo wants an explanation of the resolution, or the sponsor can do it or Counsel. An explanation of the entire resolution for Mr. Caracciolo.

LEG. LOSQUADRO:

Oh, of the •• all right. It is substantially similar to the legislation that exists right now for the

Nassau•Suffolk Regional Planning Board.

The intent of this resolution was to expand the membership to reflect the increase in population of Nassau and Suffolk Counties, and to more accurately reflect the updated planning needs with the extensive build•out that has taken place since this original legislation was conceived.

The original proposal was to expand the membership from three members per county to five members per county. Through the six or seven months of negotiations, we have increased that by two members, one for each county, so this legislation will provide for six members from each county, one of which from the Suffolk County perspective will be some •• a person that traditionally has not been included in this process. We will have a representative from the Suffolk County Supervisors Association, who will be a voting member on this board. Nassau County will have a member of the Planning Federation, so, again, bringing stakeholders to the table.

This also will allow, after one year's time, will give the Council the ability to make a recommendation to increase their size by up to four members, two from each county. We would have to again ratify that, but based on their experience and seeing how the process moves after the first year, starting to bring stakeholders to the table, they can make a recommendation to increase by up to two members per county.

We have gone a long ways towards professionalizing this Board. We have put in specific language as to the credentials needed for the Executive Director and Deputy Executive Director, very much in keeping with the civil service language. I can read you some of the qualifications, but I'll just give you a specific example. The Deputy Director and Executive Director shall be members in good standing of the AICP, which is the Association of •• sorry, I just have to get to that page. American Institute of Certified Planners, excuse me. And, again, in keeping with civil service language, there are specific degrees spelled out, graduate degrees spelled out, and experience that these individuals must have. So, we've gone a long way towards professionalizing this, bringing stakeholders to the table, and giving this Council the opportunity to reevaluate itself after a period of time to help move this process along.

Unfortunately, Suffolk County has been the victim of the better part of a century of fractured and haphazard planning with each individual township or village having their own home rule planning powers. So, this will go •• I hope this will go a ways towards •• I'm glad to see

everyone paid attention that I stopped.

LEG. LINDSAY:

I'm listening to you, Dan, I'm listening.

LEG. LOSQUADRO:

I hope that this will go a long way towards updating this process. And we have also now formalized some of the process for funding this Council, formerly the Board, as well as providing for the, as I said, professionalization and bringing stakeholders to the table.

P.O. CARACAPPA:

Legislator Losquadro, your description of the bill clearly states and shows how hard you worked on it over these many months, so I congratulate you on that.

LEG. ALDEN:

Motion to table.

LEG. CARACCILOLO:

On the ••

LEG. VILORIA • FISHER:

I have a question, Mr. Chair.

P.O. CARACAPPA:

You still have the floor, Legislator Caracciolo, and then Legislator Vilorina•Fisher.

LEG. CARACCILOLO:

Okay. In reviewing the 23rd Resolved Clause", it cites that in addition to the areas set forth in the 22nd Resolved Clause, the Council may conduct surveys, studies and research programs that address regional needs and improved community services, distribute information, recommendations resulting from surveys, studies and research. How is the Council funded and what is •• what are their funding sources and what is the amount of funding contemplated?

LEG. LOSQUADRO:

Until a business plan is submitted, the amount of funding is limited to \$100,000, and then it will come back before this body to determine a permanent funding source, once a business plan is provided. One of the things we did is extend that from one month to four months, to give them adequate time to prepare a detailed plan, because I'm sure individuals like yourself and other members of this body are going to want to take a long, hard look at the funding that we're going to provide long-term for this.

And if I also might add one other thing, that in an effort to professionalize this body and remove any appearances of impropriety that may have existed, the Council now has to approve any outside contract work that is done by the Council.

LEG. CARACCILO:

Yeah, that's in as a result of Mr. Prospect's employment with the County.

LEG. LOSQUADRO:

I'm not going to mention specifics.

LEG. CARACCILO:

Yeah, well.

LEG. LOSQUADRO:

I'm just going to say that the Council now has to be •• is apprized and has to vote on and approve any outside contracts that the Council ••

LEG. CARACCILO:

Yeah. I would like to go a step further with that, given what happened, in fact, with Mr. Prospect, and I would like to see the confirmation or the approval, rather, of any additional funds for any outside independent contractors come before the Legislative bodies to make sure that we fully are cognizant of who it is that's being hired, for what purpose, and, you know, what work product they may be employed for, because ••

LEG. LOSQUADRO:

If I may, Legislator ••

LEG. CARACCILO:

Yeah. In the case of Mr. Prospect, this was a make•work proposition that he enjoyed for many years under the Executive Director. People don't like to say that, but those are the facts.

LEG. LOSQUADRO:

Well, if I may, Mr. Presiding Officer. I believe that formalizing it the way that we have and putting in up•to•date language, subjecting the Council to review by the Comptroller's Office, and up to current ethics standards, I understand your point, but, at the same time, we cannot completely micromanage. We need to put faith in the bodies that we oversee, but they will be held accountable, I assure you. And those who are going to be serving on this Council will be held to those same ethic standards that we are, and they now have to approve any of these contracts. So, in essence, they would be making themselves liable by voting on that. So, again, I think the language that we have put in it goes towards professionalizing this body.

LEG. CARACCILOLO:

In the instance that I made reference to, the individual who I made reference to, who was responsible for approving his contractual services?

LEG. LOSQUADRO:

I do not know ••

LEG. CARACCILOLO:

Because if it wasn't •• the Regional Board wasn't the ••

LEG. LOSQUADRO:

And I don't know if that's relevant to moving on this bill.

LEG. CARACCILOLO:

Well, I ••

LEG. LOSQUADRO:

And I don't want to •• I would not like to speculate on that at this time.

LEG. CARACCILOLO:

Okay. The resolution, as the Presiding Officer indicated, indicates a lot of hard work has gone

into this. I attended those hearings, along with yourself, and the Presiding Officer others, in Nassau County, as well as here, to hear testimony. But, you know, in all that testimony, I don't recall any work product that the current Long Island Regional Planning Board has done in recent times, not going back to the 208 Study or ancient history times. You know, presently they've been in existence for a long time. What have they produced? How have we as local governments benefitted from their recommendations? They're good for studies, they make a lot of recommendations, but if their recommendations are going to continue to fall on deaf ears in this Legislative body and in Nassau County, then what are we really going to accomplish? I'm not certain. The only aspect of the resolution that concerns me is the reference to membership and the fact that, you know, we're a very diverse bi-county region, thirteen towns, two cities. Here we're talking about a total of I believe it's ten members and ••

LEG. LOSQUADRO:

Twelve.

LEG. CARACCILOLO:

I'm sorry, twelve members. Right, it would include the two representatives from the Supervisors Association and the Planning Federation. And there's a reference that no more than two members appointed shall reside in the same town or village within Suffolk County.

LEG. LOSQUADRO:

Nor have the same type of professional background.

LEG. CARACCILOLO:

Right. I think that's a good ••

LEG. LOSQUADRO:

That makes it ••

LEG. CARACCILOLO:

That's a good prequalifier, I like that.

LEG. LOSQUADRO:

That makes it •• to ensure diversity within the Council.

LEG. CARACCILOLO:

But I want to make sure, as you indicate, or the County Executive indicates in his whereas clauses in the beginning of the resolution, the concept here is to reenergize the Planning Board, and in doing so, I want to make sure that there's adequate representation, because, you know what, we're almost three different counties when you get right down to it. The five east end towns have different needs.

LEG. VILORIA • FISHER:

Is that secession talk from Peconic County?

LEG. CARACCILOLO:

No, no, no, no, no. Listen to what I'm saying, listen to what I'm saying. What I'm saying is ••

LEG. TONNA:

I agree, I think we should •• I think we should ••

LEG. CARACCILOLO:

Start the "Peconic County Now" movement?

LEG. TONNA:

I think so, absolutely.

LEG. CARACCILOLO:

Okay.

LEG. TONNA:

Then we won't have to pay for that observatory.

LEG. MYSTAL:

Can we wrap this up?

LEG. TONNA:

And the Third House.

LEG. CARACCILOLO:

But, seriously, I just have some cause for concern about that provision, because, in essence, you know, with only six members coming from Suffolk County; correct, Dan?

LEG. LOSQUADRO:

At the moment, with the option to expand it by two more after the ••

LEG. CARACCILOLO:

I'd like to see some geopolitical diversity in the resolution to ensure that the residents of the east •• five east end towns are adequately represented. I mean, if I have an assurance that will happen, you know, I'll accept that, but I'm just concerned ••

LEG. TONNA:

Just don't mention the name Dick Amper.

LEG. CARACCILOLO:

•• that Mr. Zwirn and I, and others that live on the east end, you know, have on •• in the Board.

LEG. TONNA:

Could we put in the resolution it can't be Dick Amper.

LEG. BINDER:

You want to make sure that it can't be Dick Amper.

LEG. TONNA:

We want to make sure that that will be put in the resolution also.

P.O. CARACAPPA:

Legislator Losquadro ••

D.P.O. CARPENTER:

Isn't there a motion?

P.O. CARACAPPA:

•• Caracciolo, if you could just sum up your comments.

LEG. MYSTAL:

Yeah, we have a motion to table.

P.O. CARACAPPA:

No. There's a motion ••

LEG. SCHNEIDERMAN:

This is on the motion.

LEG. TONNA:

There's no motion to table.

P.O. CARACAPPA:

Legislator Caracciolo, if you want to sum up your comments, please.

LEG. MYSTAL:

To table I make a motion.

LEG. ALDEN:

Second.

LEG. TONNA:

Don't table this.

LEG. CARACCCIOLO:

I'm done with my ••

P.O. CARACAPPA:

Don't table it.

LEG. CARACCCIOLO:

•• inquiry and remarks.

LEG. TONNA:

Don't do this.

LEG. MYSTAL:

All the more reason why we need to table this, because there's a long discussion for half an hour.

LEG. ALDEN:

And we still didn't get to the meat of it.

P.O. CARACAPPA:

It's been one speaker.

LEG. MYSTAL:

We still didn't get to the meat of it. We need to table it and send it to committee.

LEG. TONNA:

Could you just speak a little like a •• you know, to a fourth grader? I can't understand, Elie, what you just said.

LEG. MYSTAL:

We need to table this sucker, because it is so long in discussion, nobody understands what they're doing. Got it?

LEG. TONNA:

I'm down with that.

LEG. MYSTAL:

Thank you.

LEG. BINDER:

How do you spell "sucka"?

LEG. MYSTAL:

Suka, S•U•K•A.

P.O. CARACAPPA:

Legislator Caracciolo, were you finished?

LEG. TONNA:

Dave, I told you I'm with you, I'm with you. You don't ever have to worry.

LEG. CARACCILOLO:

I'll just point out, as Mr. Zwirn indicated, this would have to go to committee, can't be tabled, because it's a CN. It will have to go to committee.

LEG. TONNA:

Can I just ••

LEG. LINDSAY:

On the tabling resolution.

LEG. TONNA:

Oh, do you have people on the motion?

LEG. VILORIA • FISHER:

Yes, he does.

LEG. SCHNEIDERMAN:

Yes.

LEG. TONNA:

Could I just be recognized?

P.O. CARACAPPA:

There's a list.

LEG. TONNA:

Oh, forget it then.

P.O. CARACAPPA:

Legislator Vilorio•Fisher, then Lindsay, then Schneiderman, then Tonna.

LEG. TONNA:

No, forget •• no, no, no, forget me.

LEG. MYSTAL:

No.

P.O. CARACAPPA:

You guys asked for it. You want to talk, talk all you want.

LEG. TONNA:

You asked to talk, you talk.

LEG. VILORIA•FISHER:

Thank you, Mr. Chair.

LEG. SCHNEIDERMAN:

I'll be two seconds.

LEG. ALDEN:

Put me on the list a couple of times.

LEG. TONNA:

You're done. Your caucus is killing me.

LEG. VILORIA•FISHER:

Actually, this has been in committee for quite a number of months.

LEG. LOSQUADRO:

Seven months.

LEG. VILORIA • FISHER:

And I would urge •• I would urge my colleagues to pass it ••

LEG. MYSTAL:

What is the urgency?

LEG. VILORIA • FISHER:

•• to approve of it this evening. But I do have a question regarding the compensation for the Director and the Deputy Director.

As I read quickly, it said that board would establish the compensatory level for compensation for the Director and Deputy Director. Would those then come to us for approval? It also says that they can hire staff. Would those come to us the way other staffing ••

LEG. ALDEN:

No, just the bill.

LEG. VILORIA • FISHER:

•• positions come to us?

LEG. ALDEN:

Just the bill.

LEG. LOSQUADRO:

If I may, Mr. Chairman.

P.O. CARACAPPA:

Go ahead.

LEG. LOSQUADRO:

That will all be part of the business plan that will lay out •• in the 9th Resolved Clause ••

LEG. VILORIA • FISHER:

Right, in four months?

LEG. LOSQUADRO:

In four months. Said business plans will also lay out goals for the Council. And it says, "Until a business plan is submitted and accepted by the County Executive and the Legislature, the Council shall be limited to funding of \$100,000 per annum. So, this is all part of the business plan that will have to be submitted and approved.

LEG. VILORIA • FISHER:

Okay. Thank you.

P.O. CARACAPPA:

Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I think my question is for the sponsor, Mr. Losquadro, the cosponsor. What happens to the six people who are currently serving on the committee?

LEG. LOSQUADRO:

They are not precluded. There is specific language at the end of the bill that says they are not precluded from being renominated or continuing to serve.

LEG. SCHNEIDERMAN:

But they have no guarantee. How long is their term currently?

LEG. LOSQUADRO:

That I do not recall off the top of my head, but ••

LEG. SCHNEIDERMAN:

So, they effectively get wiped out. Is there no way to preserve their appointments?

LEG. LOSQUADRO:

This bill does not specifically preclude •• as I said, this, the language in this bill does not preclude them from continuing to serve, but they would have to be ••

P.O. CARACAPPA:

It's reconstitution.

LEG. LOSQUADRO:

There's a reconstitution of the committee.

P.O. CARACAPPA:

But they can be renominated.

LEG. SCHNEIDERMAN:

They can be, but they may not.

P.O. CARACAPPA:

Right.

LEG. SCHNEIDERMAN:

How long have they been serving, does anybody know?

P.O. CARACAPPA:

Some of them, a long time.

LEG. SCHNEIDERMAN:

Long terms?

P.O. CARACAPPA:

Longer than all of us put together.

LEG. BISHOP:

You know, this is comical.

P.O. CARACAPPA:

Yeah, this is getting comical.

LEG. BISHOP:

This is "Bishop's Law" in action.

P.O. CARACAPPA:

Anyone else? There's a motion and a second. Oh, Legislator Lindsay, I'm sorry.

LEG. LINDSAY:

Yeah. I just want to urge my colleagues to pass this. It's evident to me that •• from Chairman Losquadro that the committee did a lot of work on this bill, and I don't see any sense in recommitting it. We know that the Regional Planning Board has been getting a little rusty. I think it's time to reconstitute. I think this is a good first step.

P.O. CARACAPPA:

Very good.

LEG. ALDEN:

On the motion.

P.O. CARACAPPA:

On the motion, Legislator Alden.

LEG. ALDEN:

Obviously, a lot of work went into •• because there is competing resolutions. Now, there's a lot of stuff here and I was just handed an addendum page, which didn't come along with the first resolution, so this is the first time I'm asked to read all this stuff.

P.O. CARACAPPA:

And "I" to and "L".

LEG. LOSQUADRO:

It changes and "L" to an "I", that's what the amendment is.

LEG. ALDEN:

Excuse me.

P.O. CARACAPPA:

Just so you know.

LEG. LOSQUADRO:

I'm sorry, Legislator, I just want to tell you what it is. I'm sorry.

LEG. ALDEN:

Thanks a lot. Maybe you can read it to me, but at some other time. If you guys want to do your job properly, then do it in committee, pass something out of the committee with a recommendation and be able to answer a whole bunch of questions and then bring it before us. If you don't want to do your job in committee and you want to bring things over in CN and expect us to go and read things and then not even debate it, because everybody here is yelling about let's cut off debate, let's cut off discussion on it, then you know what you're doing, you're shirking your duty. Do it in committee. Don't come and try to pass things like this under sneak •• sneaking under the radar, and all this kind of stuff, and behind people's back, because this was not told to us that this was going to come over.

This might be an important piece of legislation and it's unfair to ask people to go and •• Legislator Montano stated this on a number of occasions and I back him up on it. It is unfair to ask Legislators at a late date to look at important or even unimportant legislation and have to read through and then try to cut off debate and sneak this stuff through. So, I really take exception to the technique that is being used on this piece of legislation. You didn't do your job in committee and now you're asking us to just pass something without full debate and full knowledge on it, and I do take exception to it.

LEG. TONNA:

Does that mean you're on the fence about this piece of legislation?

LEG. ALDEN:

I haven't made up my mind, Paul.

P.O. CARACAPPA:

There's a motion •• is there a motion? What's the motion?

LEG. LOSQUADRO:

To approve.

LEG. ALDEN:

Motion to table.

P.O. CARACAPPA:

I was waiting.

MR. BARTON:

I have a motion to table and second, yes.

P.O. CARACAPPA:

Is there a second to table?

LEG. MYSTAL:

Yes.

LEG. SCHNEIDERMAN:

You can't table a ••

LEG. CARACCILO:

Commit.

P.O. CARACAPPA:

Oh, you can't. You can commit. Motion to commit to EPA.

LEG. LOSQUADRO:

If it gets ten, it goes to •• ten or eleven goes to committee.

LEG. ALDEN:

Motion to commit to a committee that will do the job on this.

P.O. CARACAPPA:

Is there a second?

LEG. CARACCILO:

On the commit, I'll second it.

LEG. MYSTAL:

Yes.

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. TONNA:

A chink in the Republican Caucus armor, I see it right here. O'Leary, you've got to make up with these guys.

P.O. CARACAPPA:

All in favor?

LEG. TONNA:

You got to get them together.

P.O. CARACAPPA:

Opposed?

LEG. ALDEN:

Paul, looking for solidarity from you.

[OPPOSED SAID IN UNISON BY LEGISLATORS]

P.O. CARACAPPA:

Opposed ••

D.P.O. CARPENTER:

Roll call. Roll call.

P.O. CARACAPPA:

Roll call.

LEG. TONNA:

I'm opposed to that.

LEG. BISHOP:

On the motion.

LEG. LOSQUADRO:

What is this, to commit?

P.O. CARACAPPA:

The motion is to commit to EPA.

LEG. BISHOP:

Can I just point something out to my colleagues about how impossible this task is? There are four entities essentially involved. You have the Nassau County Executive, he's not one with a big ego. You have the Suffolk County Executive, he's not one to have strong opinions. Then you have the Nassau Legislature and the Suffolk Legislature, not to mention the minority and majority caucuses within each one. The fact that we finally have a bill that mirrors Nassau County should be cause for celebration, so that we can finally get this thing off the agenda.

LEG. TONNA:

And just I want to be ••

LEG. ALDEN:

This mirrors Nassau County?

LEG. TONNA:

We've been dealing •• by the way, this is not ••

LEG. BISHOP:

I don't know who mirrors whom. All I know is that we're done with it, if we vote the right way.

P.O. CARACAPPA:

I'm going to call a dinner break.

LEG. TONNA:

All I could say is I think, in fairness ••

P.O. CARACAPPA:

No. I'm going to call a two•hour dinner break.

[NEGATIVE RESPONSE BY LEGISLATORS]

LEG. TONNA:

Well, there will be no dinner break.

P.O. CARACAPPA:

I am going to call a two•hour dinner break, unless you want to wrap it up.

LEG. TONNA:

I want to wrap it up.

P.O. CARACAPPA:

So, wrap it up.

LEG. TONNA:

What I'm saying is Legislator Losquadro should be really commended on this. First of all ••

P.O. CARACAPPA:

Big time.

LEG. TONNA:

•• we have •• we have dealt with this issue •• I know you have somewhere to go Brian, but we have very clearly •• and I'm sure it's in the Town of Brookhaven, but the fact is, is that right now, we have had •• we have been talking about the Regional Planning Board for quite sometime. Legislator Losquadro has been speaking about this for quite sometime. I mean,

really, this is the very first time that we have somebody who's worked with the County Executive, got a CN. Let's do it now. Call the vote.

P.O. CARACAPPA:

There's a motion to commit and a second. Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. ALDEN:

Yes.

LEG. MYSTAL:

Yes.

LEG. COOPER:

No.

LEG. TONNA:

Absolutely not.

LEG. BINDER:

Yes.

LEG. BISHOP:

To recommit, no.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

No.

LEG. MONTANO:

Pass.

LEG. LINDSAY:

No.

LEG. FOLEY:

No.

LEG. LOSQUADRO:

No.

LEG. VILORIA • FISHER:

No.

LEG. O'LEARY:

Pass.

LEG. SCHNEIDERMAN:

No.

LEG. TONNA:

Trying to find a compromise.

LEG. CARACCILO:

Yes.

D.P.O. CARPENTER:

Yes.

P.O. CARACAPPA:

No.

LEG. MONTANO:

Yes.

LEG. O'LEARY:

Yes.

MR. BARTON:

Eight.

P.O. CARACAPPA:

There's a motion and second to approve.

MR. BARTON:

Yes.

LEG. LINDSAY:

Roll call.

LEG. CARACCILO:

Roll call.

P.O. CARACAPPA:

Roll ••

D.P.O. CARPENTER:

On the motion.

P.O. CARACAPPA:

Angie.

LEG. ALDEN:

Roll call, let's go.

D.P.O. CARPENTER:

I'm sorry. I am sorry, but I have something to say. And I think this is a very important issue, and we're presented with a resolution that I am first seeing today, and I have some concerns about it. And if I can't ••

P.O. CARACAPPA:

It's been in committee for a year.

D.P.O. CARPENTER:

And I'm not on that ••

P.O. CARACAPPA:

A year.

D.P.O. CARPENTER:

•• committee. I'm sorry, and I don't think it's been here, because, if it was in ••

P.O. CARACAPPA:

We've had hearings here and in Nassau that everyone's been involved with or ••

D.P.O. CARPENTER:

You want to speak, go ahead.

P.O. CARACAPPA:

No. I'm just saying don't say it's brand new, it's been around for almost a year.

D.P.O. CARPENTER:

Well, if it was on a •• if it was around for a year, I think it would have lapsed for the Six•Month Rule. But, in any event, I mean, does everyone want to speak at once, go right ahead.

LEG. TONNA:

Stick with it. Call the vote. Let's call the vote.

P.O. CARACAPPA:

Legislator Carpenter, you have the floor.

D.P.O. CARPENTER:

Thank you. The Resolved Clause that I have concern about is the fact that we are giving them permission ••

LEG. LOSQUADRO:

What number?

LEG. FOLEY:

Which resolved? There's 25.

D.P.O. CARPENTER:

No, there's 26, actually.

LEG. FOLEY:

Which one?

D.P.O. CARPENTER:

The 14th Resolved Clause. We're giving them authority, empowering them to hire an Executive Director, a Deputy Director.

LEG. LOSQUADRO:

Yes.

D.P.O. CARPENTER:

What are the salary parameters?

LEG. LOSQUADRO:

This question was asked and answered.

D.P.O. CARPENTER:

So, what was the answer?

LEG. LOSQUADRO:

It will be set forth by the Council in the business plan that will be presented to this Legislature for ratification and approval.

D.P.O. CARPENTER:

Well, you know, when you start a business, you do a business plan first, and this is almost like

going backwards, where we're approving the creation of something, we're going to be funding it, and we don't have a business plan that tells us what our costs are actually going to be. We're committing staff from our Planning Department, and we're also committing that if the Planning Department staff is not sufficient, that they are empowered to hire additional staff.

LEG. LOSQUADRO:

If I may, Legislator Carpenter. We are giving them nothing they do not already have. You have to remember, the Regional Planning Board already exists, and they ••

D.P.O. CARPENTER:

I'm aware of that.

LEG. LOSQUADRO:

And they currently have this level of funding, access to members of our Planning staff. We are •• they cannot create this business plan until they are constituted, so we are giving •• by legislation, we will constitute this new council, then they will present •• create and present a new business plan to us, which we will then have to approve and decide whether or not we want to move ahead with, you know, the additional funding or recommendations that they make. Until that time, until that time, we're giving them nothing more than they already have.

LEG. ALDEN:

We can do that by CN, too, so nobody can read it and have time to discuss it.

P.O. CARACAPPA:

Anyone else?

LEG. ALDEN:

Way to run government, good government.

P.O. CARACAPPA:

I'll wait. Roll call.

(Roll Called by Mr. Barton, Clerk).

LEG. LOSQUADRO:

Yes.

P.O. CARACAPPA:

Yep.

LEG. COOPER:

Yes.

LEG. TONNA:

Yes.

LEG. BINDER:

No.

LEG. MYSTAL:

Yes.

LEG. BISHOP:

Yes to approve.

LEG. NOWICK:

No.

LEG. KENNEDY:

Pass.

LEG. ALDEN:

No.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. VILORIA • FISHER:

Yes to approve.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCIOLO:

Abstain.

D.P.O. CARPENTER:

Abstain.

LEG. KENNEDY:

Yes.

MR. BARTON:

Thirteen.

LEG. TONNA:

There we go.

P.O. CARACAPPA:

It's approved. 1718 • Confirming the appointment of Gigi A. Spelman as District Court Judge for and of the Third District to fill a vacancy).

LEG. BINDER:

Motion.

D.P.O. CARPENTER:

Second.

P.O. CARACAPPA:

Motion by Legislator Binder, seconded by Legislator ••

LEG. CARACCIOLO:

On the motion.

D.P.O. CARPENTER:

Second.

P.O. CARACAPPA:

Bishop.

LEG. TONNA:

I have a question.

P.O. CARACAPPA:

She's here, if ••

LEG. CARACCIOLO:

That's what I wanted to know.

P.O. CARACAPPA:

Legislator Mystal.

MS. SPELMAN:

Good evening.

LEG. MYSTAL:

No, I don't have a question for her, I wanted to know what is the urgency, again?

LEG. BISHOP:

There's a vacancy in ••

P.O. CARACAPPA:

There's a vacancy in the Third District Court in Huntington. The nominee, if approved today, will be running this fall, I believe, correct.

MS. SPELMAN:

Yes.

P.O. CARACAPPA:

Or in a special election.

MS. SPELMAN:

That's correct •• this fall.

P.O. CARACAPPA:

Yeah.

LEG. TONNA:

I have a quick question.

P.O. CARACAPPA:

Go ahead.

LEG. TONNA:

How are you?

MS. SPELMAN:

Okay.

LEG. TONNA:

I was very heartened by the fact that I saw your name as the person being asked for this position. You're ready to leave your law practice right away, or whatever you're doing right now?

MS. SPELMAN:

Yes, I am.

LEG. TONNA:

Okay. So, that's going to be the day that you get appointed and stuff, there'll be no problems?

MS. SPELMAN:

That's correct.

LEG. TONNA:

Okay, great. Congratulations.

MS. SPELMAN:

Thank you.

P.O. CARACAPPA:

Legislator Caracciolo.

LEG. CARACCIOLO:

I'd like to know the origins of this designee's recommendation for appointment.

LEG. BINDER:

Mr. Chairman.

P.O. CARACAPPA:

Excuse me?

LEG. CARACCIOLO:

The origins of this designee's appointment, where did this ••

LEG. ALDEN:

County Executive.

LEG. CARACCIOLO:

Well, I'd like to know where, who, what, when, where. I don't know this individual, I don't know her qualifications or disqualifications.

P.O. CARACAPPA:

Then vote no.

LEG. BINDER:

Mr. Chairman.

LEG. TONNA:

You have her resume, right?

LEG. VILORIA • FISHER:

Her resume is in front of you.

LEG. BISHOP:

Because you're not a practicing attorney in this County, but if you were, you would know the individual and she's highly qualified.

LEG. BINDER:

Mr. Chairman.

P.O. CARACAPPA:

Legislator Binder.

LEG. BINDER:

I have resumes, background, bios that was given to me by Ms. Spelman, and I can tell you that she is eminently qualified, the Bar finds her qualified, but also her background, her legal education, her legal work is exemplary. And she would be well qualified and serve the people in the District Court in Huntington very well when she gets there, and I think we'd do ourselves all proud to put her on the bench.

LEG. TONNA:

As a matter of fact, this is probably one of the most qualified candidates we've voted for. And

we're looking at resumes, including her work with LaUnion Hispanica, you know, President of the Suffolk County Women's Bar Association. I mean, we haven't seen a candidate as qualified as this in quite sometime.

LEG. VILORIA • FISHER:

And the Village of Poquot will miss you.

MS. SPELMAN:

Thank you.

LEG. ALDEN:

Mike, we as attorneys, we recommend her, so trust us.

LEG. CARACCILOLO:

That's what worries me. That's what worries me.

D.P.O. CARPENTER:

You can always trust an attorney.

LEG. CARACCILOLO:

I mean, as this body knows, in the past, I have not always voted pro forma on these appointments unless I was comfortable with the individual. I'm glad she's here. You come from a good village, my son lives there. But, quite seriously, I may have to abstain, because I just simply don't have enough information here to make an informed judgment. So, nothing personal, it's just, again, this rush to judgment. Why doesn't this go through some type of committee process, screening process where we could evaluate individuals, you know, instead of rushing because it's the end of the day and everybody wants to go home?

LEG. ALDEN:

That's the way we do stuff, Mike.

P.O. CARACAPPA:

No one's rushing.

LEG. TONNA:

I mean, I'll add to this one again. I don't see •• I don't see this as much a rush job as much as, you know, I know the courts have backlogs and it would really help to get a judge in there as quickly as possible, and the position has been vacant for quite •• quite enough time. We have a really qualified candidate, and to tell you quite honestly, I think it's, what, the Third District Court, you know, to fill a vacancy. We'd like to see somebody in there, and I think we're pretty lucky or •• you know, to have somebody with these qualifications.

LEG. CARACCILOLO:

Okay. But, again, my first question •• hello.

P.O. CARACAPPA:

It's all yours, Mike.

LEG. CARACCILOLO:

Thank you. What are the origins of these appointees coming before the Legislature?

LEG. MYSTAL:

The County Executive.

LEG. CARACCILOLO:

Well, okay, the County Executive. But does somebody recommend? Is there a Judicial Screening Committee? Is more than one person considered? Is this a political appointment? Let's put the cards on the table.

LEG. NOWICK:

No judge is ever political.

LEG. TONNA:

All I could say is •• I'll repeat this again. You have the resume in front of you, right?

LEG. CARACCCILOLO:

I do.

LEG. TONNA:

All I could tell you is, if it was a political appointment, then the political system worked for a change.

LEG. NOWICK:

Yes.

LEG. TONNA:

Okay. The fact is, is that, and I'm not an attorney, but I know of this woman, I know the work that she's done, and I know the reputation she has, okay, and all I can tell you is, yes ••

LEG. CARACCILO:

You know the individual personally?

LEG. TONNA:

No. I'm saying that I know of this woman.

LEG. CARACCILO:

Okay.

LEG. TONNA:

You know, I live in Huntington. This is something •• this is a person who has incredible and impeccable reputation.

LEG. CARACCILO:

Okay.

LEG. TONNA:

All right? And when I saw this name •• by the way, when I looked at a resolution and I've said •• as soon as I saw this person's name, I knew we were in good shape here. And, actually, the County Executive, if it was the origin of the County Executive, which I wasn't aware of, then he should be commended for putting up such a good •• you know, suggesting and nominating such a good candidate.

LEG. CARACCILO:

Will you cosponsor this resolution?

LEG. TONNA:

I absolutely will.

LEG. CARACCILO:

That does it for me, Paul.

LEG. TONNA:

Okay. Thank you.

D.P.O. CARPENTER:

Thank you very much. So, we have a motion and a second?

LEG. BISHOP:

We do, indeed.

MR. BARTON:

Yes.

LEG. BISHOP:

I made the second.

D.P.O. CARPENTER:

Okay.

LEG. BISHOP:

You made the motion, I believe.

D.P.O. CARPENTER:

We'll have a roll call.

MR. MONTANO:

Just one question.

D.P.O. CARPENTER:

Yes.

MR. MONTANO:

I just wanted to be clear.

D.P.O. CARPENTER:

Legislator Montano.

MR. MONTANO:

Good afternoon, Ms. Spelman. I just ••

MS. SPELMAN:

Good afternoon.

LEG. MONTANO:

Would you be a candidate for election this year to •• for another term?

MS. SPELMAN:

I plan to be, yes.

MR. MONTANO:

Okay.

P.O. CARACAPPA:

Roll call.

(Roll Called by Mr. Barton, Clerk)

LEG. BINDER:

Yes.

LEG. BISHOP:

Yes.

LEG. COOPER:

Yes.

LEG. TONNA:

Yeah.

LEG. MYSTAL:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. LINDSAY:

Yes.

LEG. FOLEY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

Yes.

LEG. O'LEARY:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. CARACCILO:

With Paul Tonna's endorsement, absolutely.

LEG. ALDEN:

Cosponsor, in case I have to appear before her.

LEG. CARPENTER:

Yes, gladly.

P.O. CARACAPPA:

Yep.

MR. BARTON:

18.

LEG. BINDER:

Make sure I'm listed as a cosponsor, please.

P.O. CARACAPPA:

Congratulations and good luck to you.

LEG. ALDEN:

Cosponsor.

MS. SPELMAN:

Thank you so much. Thanks to all of you, and to Mr. Levy.

(Applause)

P.O. CARACAPPA:

Sense 30 (Memorializing resolution in support of Assembly Bill No. A04723 to prohibit excessive idling of heavy duty vehicles).

MR. BARTON:

All the attorneys are cosponsors.

P.O. CARACAPPA:

Sense 30. Motion by Legislator Vilorio•Fisher.

LEG. LOSQUADRO:

Second.

P.O. CARACAPPA:

Second by Legislator Losquadro.

LEG. LOSQUADRO:

Cosponsor, Henry.

P.O. CARACAPPA:

All in favor? Opposed? Abstentions?

LEG. BINDER:

Cosponsor.

P.O. CARACAPPA:

Sense 33.

LEG. BINDER:

Henry.

MR. BARTON:

18.

LEG. BINDER:

Henry, I'll cosponsor.

LEG. BISHOP:

Can you read the titles, please?

P.O. CARACAPPA:

Sure. Sense 33 • Memorializing resolution requesting United States Congress to authorize the General Accounting Office to initiate an investigation of the Commodity Futures Trading Commission and the New York Mercantile Exchange.

LEG. BINDER:

It's Assemblyman Raia's Bill.

LEG. ALDEN:

This is a good one.

LEG. BINDER:

Assemblyman Raia.

LEG. BISHOP:

Explanation please.

LEG. BINDER:

Brought him up right.

LEG. ALDEN:

I can give you an explanation. The price of home heating oil was manipulated by trading, and I think it's •• it is Goldman Sachs? What is the company that actually owns almost every futures contract on home heating oil and gasoline? All those barges sitting off our shores was owned by one company who fooled around with the futures.

LEG. BISHOP:

I should get you a change of registration form with that speech; okay? Very good.

LEG. BINDER:

Put me on as a cosponsor on this one.

P.O. CARACAPPA:

There's a motion and second. All in favor? Opposed? Abstentions?

LEG. LOSQUADRO:

Abstention.

MR. MONTANO:

Abstention.

LEG. O'LEARY:

Abstain.

MR. BARTON:

18.

P.O. CARACAPPA:

Abstention, Legislator Losquadro, Montano, O'Leary. ***Sense 34.***

MR. BARTON:

15.

P.O. CARACAPPA:

This is in support of Assembly Bill 4354 and Senate Bill 01544, amending the Civil Practice Law and Rules to equalize the treatment of collateral sources in tort actions against public defendants.

Motion by Legislator Caracciolo.

LEG. BISHOP:

Explanation.

LEG. ALDEN:

Second.

P.O. CARACAPPA:

Second by Legislator Alden.

LEG. MYSTAL:

What does it do?

MS. KNAPP:

There was a recent court decision that indicated that municipalities were not able to avail themselves of the collateral source rule, that is that if insurance paid, the municipality still had to pay. This would simply make it very clear that the municipalities are on the same footing as private defendants in tort actions.

LEG. BISHOP:

Has the Bar Association taken a position on this?

MS. KNAPP:

Well, it prevents what would be double recovery against any other defendant.

P.O. CARACAPPA:

There's a motion and a second. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Sense ••

LEG. CARACCILO:

Mr. Chairman, point of personal privilege.

P.O. CARACAPPA:

Go right ahead.

LEG. CARACCILO:

The County Attorney is here. She came over immediately upon hearing that the Legislature wanted to discuss 1449. She has to leave in a very few minutes to pick up her children and she has requested a moment of our time to discuss 1449 and its urgency.

P.O. CARACAPPA:

The bill was tabled.

LEG. CARACCILO:

Right.

LEG. FOLEY:

Mr. Chairman, I understand there's some urgency, if I could through the Chair, that the neighboring county may move forward with their suit prior to our approval of this if we wait •• if we wait until the end of June to approve this resolution.

P.O. CARACAPPA:

Let's just do the Sense Resolutions and finish them up.

LEG. CARACCILO:

She has to pick up her children in ten minutes.

P.O. CARACAPPA:

We have eight Sense Resolutions left. ***Sense 35 (Sense Resolution requesting the New York State Legislature to enact a property tax exemption to promote the use of bio •diesel fuel for home energy use).***

LEG. VILORIA • FISHER:

Motion.

P.O. CARACAPPA:

Motion by Legislator Vilorina • Fisher.

LEG. LOSQUADRO:

Second.

P.O. CARACAPPA:

This is biodiesel fuel. Second by Legislator Losquadro. All in favor? Opposed? Abstentions?

LEG. BINDER:

Cosponsor.

LEG. COOPER:

Cosponsor, Henry.

MR. MONTANO:

Abstain.

LEG. O'LEARY:

Abstention.

P.O. CARACAPPA:

Abstention, Legislator Montano and O'Leary.

LEG. MYSTAL:

Cosponsor.

LEG. NOWICK:

A point of personal privilege.

MR. BARTON:

16, 2 abstentions.

P.O. CARACAPPA:

Go right ahead.

LEG. NOWICK:

Can I just say one thing? I appreciate that the County Attorney has come down, but I also

appreciate you have to leave in ten minutes. It's not really going to help us to have a quick ten minutes. We're not going to make any decisions. I can't even think that fast in ten minutes and we still have the Sense Resolutions. Can we ask her to come back in two weeks?

P.O. CARACAPPA:

I think I already did that, but Legislator Caracciolo asked her to come down.

LEG. CARACCIOLO:

Well, because there is an urgency that she's brought to my attention, that's the only reason why, and we don't ••

LEG. NOWICK:

But she needs to leave and I don't think that's enough time.

P.O. CARACAPPA:

Could we just ••

LEG. CARACCIOLO:

Christine.

P.O. CARACAPPA:

We could have been done with the Senses. ***Sense 38 (Sense of the Legislature resolution requesting United States Congress to restore funding for veterans nursing home care in State Veterans Homes).*** Motion by Legislator Kennedy.

LEG. ALDEN:

Second.

LEG. FOLEY:

Second.

P.O. CARACAPPA:

Second by Legislator Alden. All in favor? Opposed? Abstentions?

LEG. COOPER:

Cosponsor, Henry.

MR. BARTON:

18.

LEG. BINDER:

Cosponsor, Henry.

P.O. CARACAPPA:

Sense 39. This is ••

LEG. MYSTAL:

Cosponsor, Henry.

D.P.O. CARPENTER:

Henry.

P.O. CARACAPPA:

Sense of the Legislature in opposition to Federal legislation permitting Federal Energy Regulatory Commission, which is FERC, to overrule State and local governments regarding placements of liquefied natural gas platforms. Motion by Legislator Cooper.

LEG. VILORIA•FISHER:

Second.

P.O. CARACAPPA:

Second by Legislator Viloría•Fisher. All in favor? Opposed? Abstentions?

LEG. O'LEARY:

Abstain.

P.O. CARACAPPA:

I'll abstain.

LEG. O'LEARY:

Abstention.

MR. BARTON:

16, 2 abstentions.

MR. MONTANO:

I'll abstain on that.

P.O. CARACAPPA:

Montano.

LEG. BINDER:

Abstain.

LEG. MYSTAL:

Abstain.

P.O. CARACAPPA:

Binder, Mystal, Montano, and O'Leary, Caracappa. ***Sense 40 (Sense of the Legislature resolution requesting that the New York State Legislature enact an income tax deduction to promote renewable energy consumption).***

LEG. LINDSAY:

Motion.

P.O. CARACAPPA:

Motion by Legislator ••

LEG. COOPER:

Motion.

P.O. CARACAPPA:

•• Cooper.

MR. BARTON:

13, 5 abstentions (Sense 39).

P.O. CARACAPPA:

Second by Legislator Lindsay. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Abstain.

MR. MONTANO:

Abstention.

LEG. O'LEARY:

Abstain.

P.O. CARACAPPA:

Abstention, Legislator Montano, Legislator Alden, O'Leary, Losquadro. You know, I'm going to •
• why don't we just kick all these other Sense Resolutions to the next meeting.

MR. BARTON:

Thirteen, 5 abstentions on Sense 40.

P.O. CARACAPPA:

And then you could do your •• to have an executive session on the bill that's in question, I would suggest that you make a motion to reconsider.

LEG. SCHNEIDERMAN:

She left.

LEG. O'LEARY:

She left, Joe. She left.

LEG. FOLEY:

She left.

MS. BURKHARDT:

She's gone.

LEG. FOLEY:

She had to get her children.

P.O. CARACAPPA:

That wasn't even five minutes, that was like a minute•and•a•half.

LEG. FOLEY:

Well, she left.

LEG. LINDSAY:

So, why don't we finish the agenda, then.

P.O. CARACAPPA:

Then we'll finish the agenda, then.

MS. KNAPP:

Home Rules.

P.O. CARACAPPA:

We did the Home Rules. Oh, those ••

LEG. FOLEY:

No, these are the other Home Rule Messages.

LEG. SCHNEIDERMAN:

We haven't done Home Rules.

LEG. FOLEY:

Two more.

P.O. CARACAPPA:

Sense •• did we get the vote on the natural gas platform?

MR. BARTON:

On 40, yes, 40 was ••

P.O. CARACAPPA:

40, you got that one?

MR. BARTON:

Sense 40 was 13, 5 abstentions.

P.O. CARACAPPA:

Sense 41 • State of New York to amend the Insurance Law to enact industry standards for replacement of automobile glass (Assembly Bill A.7199 and Senate Bill S.3429).

LEG. LINDSAY:

Motion.

P.O. CARACAPPA:

Motion by Legislator Lindsay.

LEG. LOSQUADRO:

Second.

LEG. ALDEN:

Second.

P.O. CARACAPPA:

Second by Legislator Alden. All in favor? Opposed? Abstentions?

LEG. BINDER:

Abstain.

LEG. LOSQUADRO:

Henry. Henry, cosponsor.

P.O. CARACAPPA:

Sense 42 (Sense of the Legislature resolution requesting State of New York to provide a sales tax exemption on the purchase of hybrid vehicles).

MR. BARTON:

17, 1 abstention on 40.

P.O. CARACAPPA:

Still an insurance guy, Danny.

LEG. LOSQUADRO:

To the end.

P.O. CARACAPPA:

To the end. Sense 42 is an exemption on •• tax exemption on purchase of hybrid vehicles.

LEG. COOPER:

Motion.

P.O. CARACAPPA:

Motion by Legislator Cooper.

D.P.O. CARPENTER:

Second.

P.O. CARACAPPA:

Second by Legislator Carpenter.

LEG. VILORIA • FISHER:

Question.

P.O. CARACAPPA:

Question.

LEG. VILORIA • FISHER:

For the sponsor, how much of an exemption is it?

LEG. COOPER:

It does not specify, it just requests New York State to establish a sales tax exemption on the purchase of hybrid vehicles.

LEG. VILORIA • FISHER:

So, exempting all the sales tax on it or ••

LEG. LOSQUADRO:

No, just an incentive.

LEG. VILORIA • FISHER:

We'll he's saying •• he's not saying it's just an incentive.

LEG. MYSTAL:

What does it matter? They don't listen to us anyway.

LEG. COOPER:

It doesn't place a cap, it leaves it up to the State.

LEG. VILORIA • FISHER:

Okay, thank you.

P.O. CARACAPPA:

All in favor? Opposed?

LEG. ALDEN:

Abstain.

(Abstention Said in Unison by Legislators)

P.O. CARACAPPA:

Abstentions?

LEG. O'LEARY:

Abstain.

P.O. CARACAPPA:

I'll abstain. Three •• Alden, O'Leary, Montano, Caracappa, Binder.

MR. BARTON:

13, 5 abstentions.

LEG. MYSTAL:

And me.

P.O. CARACAPPA:

And Mystal, sorry.

MR. BARTON:

12•6.

P.O. CARACAPPA:

Sense 44 • Memorializing resolution in support of H.R. 1696 and S. 842 the "Employee Free Choice Act".

LEG. LOSQUADRO:

Explanation.

LEG. VILORIA • FISHER:

Explanation.

P.O. CARACAPPA:

Jonathan, if you wouldn't mind.

LEG. COOPER:

It protects employees that are fired from companies for attempting to legally form a labor union.

LEG. TONNA:

We already have that.

LEG. ALDEN:

That's protected under existing law.

LEG. TONNA:

It's called National Labor Protection •• I mean, you know.

MS. KNAPP:

This is an amendment.

P.O. CARACAPPA:

This an amendment to it.

MS. KNAPP:

This is an Amendment to the National Labor ••

LEG. LINDSAY:

I'll second.

P.O. CARACAPPA:

This is an amendment to it.

LEG. BINDER:

Motion to table, so we can look at the bill. No one's really looked at it.

LEG. FOLEY:

Just through the Chair, it's going to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join or assist labor organizations, and to provide for mandatory injunctions for unfair labor practices during organizing efforts. So, that's an amendment to the National Labor Relations Act.

LEG. COOPER:

We can table this for two weeks, rather than having a whole discussion.

P.O. CARACAPPA:

Motion to table by the sponsor, second by myself. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Sense 45 (Memorializing resolution in support of State legislation (A07688) to provide increased benefits to volunteer firefighters and volunteer ambulance workers). Motion by Legislator Caracciolo, seconded by Legislator Carpenter. All in favor? Opposed? Abstentions?

MR. BARTON:

18.

P.O. CARACAPPA:

Sense 46 (Memorializing resolution requesting State of New York to enact Outdoor Lighting Act). Motion by Legislator Cooper, second by Legislator Losquadro. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Abstain.

P.O. CARACAPPA:

Abstention, Legislator Alden.

LEG. O'LEARY:

Abstention. Abstention.

P.O. CARACAPPA:

Legislator O'Leary.

LEG. BINDER:

And Binder.

P.O. CARACAPPA:

And Binder.

LEG. MONTANO:

Abstention.

P.O. CARACAPPA:

And Montano.

MR. BARTON:

14, 4 abstentions.

P.O. CARACAPPA:

Home Rule 3 • Home Rule Message requesting New York State Legislature to allow Suffolk County to install and operate Red•Light Camera Program (Assembly Bill A.3393).

LEG. LINDSAY:

Motion.

P.O. CARACAPPA:

Motion by Legislator Lindsay.

LEG. VILORIA•FISHER:

Second.

P.O. CARACAPPA:

Second by Legislator Vilorio•Fisher.

LEG. MYSTAL:

Is that in the red light district?

P.O. CARACAPPA:

All in favor? Opposed?

LEG. BINDER:

Opposed.

P.O. CARACAPPA:

Opposed, Legislator Binder.

LEG. ALDEN:

Abstain.

P.O. CARACAPPA:

Abstain, Legislator Alden, Caracciolo.

LEG. NOWICK:

Opposed.

LEG. CARACCIOLO:

Opposed.

P.O. CARACAPPA:

Opposed, Legislator Caracciolo.

LEG. BINDER:

Legislator Nowick.

P.O. CARACAPPA:

Nowick as well. ***Home Rule 4 (Home Rule Message requesting the New York State Legislature to authorize Suffolk County to extend a temporary hotel and motel tax).***

MR. BARTON:

14•3, 1 abstention. (Home Rule 3)

P.O. CARACAPPA:

Authorizing •• this would be New York State Legislature to authorize Suffolk County to extend the temporary hotel/motel tax. Motion by myself.

LEG. CARACCILOLO:

Roll call.

P.O. CARACAPPA:

Second by Legislator ••

LEG. SCHNEIDERMAN:

On the motion.

LEG. VILORIA•FISHER:

I'll second it.

P.O. CARACAPPA:

Viloria•Fisher.

LEG. SCHNEIDERMAN:

On the motion.

P.O. CARACAPPA:

Go ahead.

LEG. SCHNEIDERMAN:

As the Legislature's aware, I have a minor interest in a motel property and that was what precipitated me to request an opinion from the Suffolk County Ethics Commission. I just want to turn to Legislative Counsel to make sure that my vote here is in full compliance with that decision, which does allow me to participate with the filing of a statement, which I have done with the Clerk and with the Presiding Officer.

MS. KNAPP:

And you should add that you've made the necessary filing with the Suffolk County Ethics Commission.

LEG. SCHNEIDERMAN:

Ethics Commission as well.

MS. KNAPP:

And it is now part of the record.

LEG. SCHNEIDERMAN:

Thank you.

LEG. MYSTAL:

We don't need your vote, so you can stay out.

P.O. CARACAPPA:

There's a motion and second. All in favor? Opposed?

LEG. BINDER:

Opposed.

LEG. CARACCILOLO:

Opposed.

P.O. CARACAPPA:

Opposed, Legislator Caracciolo.

LEG. BINDER:

Binder.

LEG. MYSTAL:

Binder.

P.O. CARACAPPA:

And Binder.

MR. BARTON:

15•2, 1 abstention.

P.O. CARACAPPA:

I'll make a motion, second by Legislator Kennedy, to waive the rules, lay on the table, the following bills as late•starters: 1712 to Ways and Means, 1713 to Public Works, 1714, Economic Development, 1715 to EPA, 1716 to Parks, 1717 to Health and Human Services, 1719 to EPA, Sense 49 to Public Safety, and Sense 50 to Public Works.

Is there anything else to come before this Legislature? I'd just like to thank Long Island Blood Services ••

MR. BARTON:

18. It's laid on the table.

P.O. CARACAPPA:

•• and everyone that donated blood today. Congratulations to Gail Vizzini. I look forward to working with her in the future. We had a long, busy today. Everyone did a good job. We're adjourned.

[THE MEETING WAS ADJOURNED AT 6:32 P.M.]

_ _ ***Indicates Spelled Phonetically***